the weekly Standard

APRIL 1, 2002

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Noemie Emery

UNDERSTANDING HARRY & IKE
Michael Barone

The Winner?

ROBERT KAGAN & WILLIAM KRISTOL • REUEL MARC GERECHT • TOM ROSE

PLUS:
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BY JAMES W. CEASER

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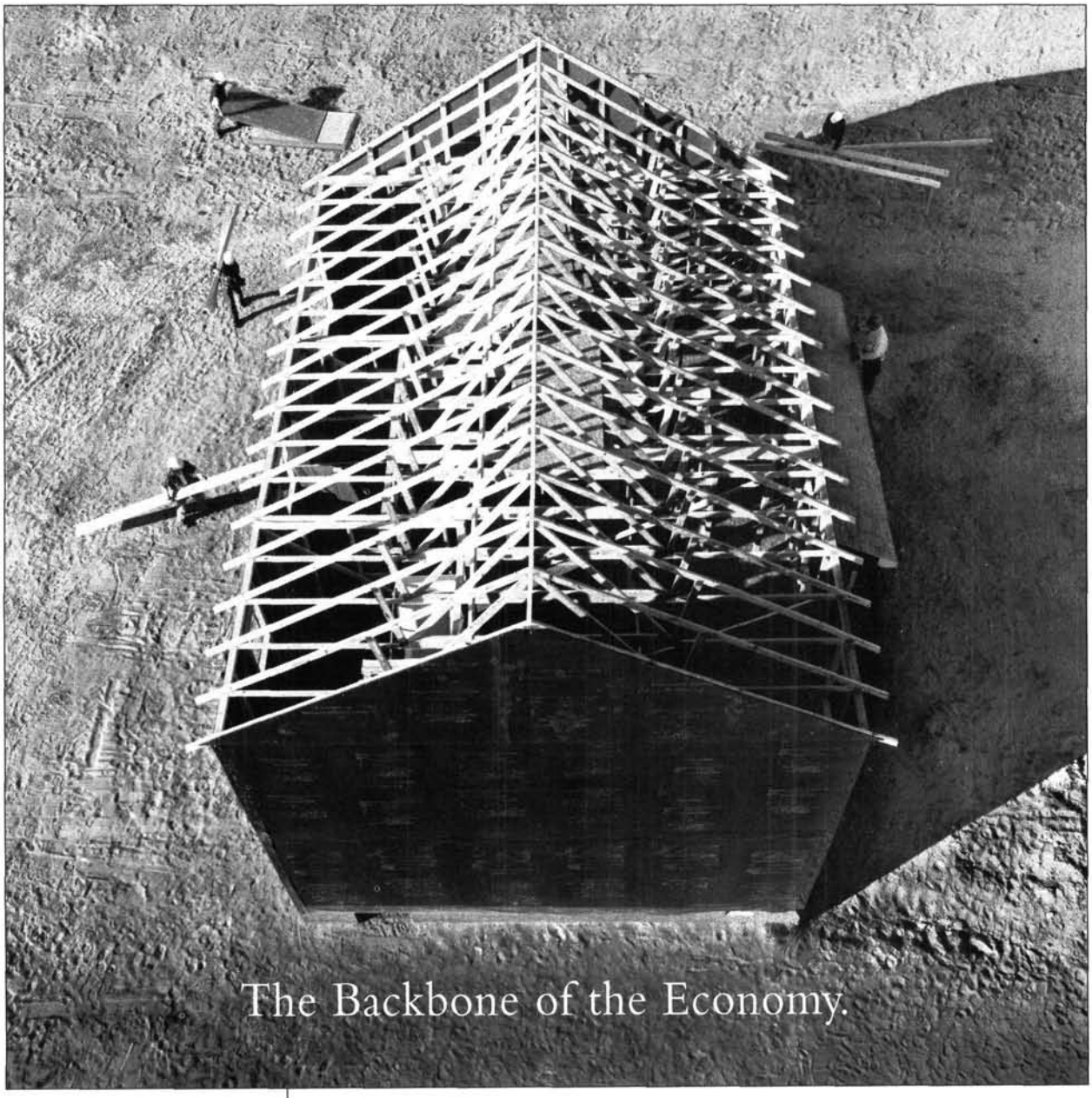

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Blood Libel II

In last week's issue, THE SCRAPBOOK printed extended excerpts from an astounding essay published in the March 10 edition of the Saudi newspaper *Al-Riyadh*. That essay, written by a faculty member at King Faisal University, purported to detail the precise recipe and technique Jewish people employ in the preparation of pastries necessary for the Purim holiday. The Jews, Dr. Umayma Ahmad Al-Jalahma explained, slaughter adolescent Christians and Muslims, drain the blood from their bodies even while they're dying, and sprinkle that blood right into the dough.

Now the *Los Angeles Times* reports that last Tuesday—not coincidentally, we hope, 24 hours after THE SCRAPBOOK item in question had hit the newsstands—*Al-Riyadh*'s editor, Turki Al Sudairy, repudiated Dr. Al-Jalahma's anti-Semitic filth and apologized for running it. Al Sudairy claimed the essay had slipped through the cracks, and that he had become aware of it only after his Washington, D.C., bureau chief phoned him up long-distance to express concern. He now says Al-Jalahma's piece was "unfit for publishing," "unacceptable," "silly," and "untrue."

Which is okay, one supposes, so far as it goes. THE SCRAPBOOK cannot help noticing, however, the reason *why* editor Al Sudairy seems to think Dr. Al-Jalahma missed the mark. "Mrs. Jalahma failed to realize . . . that Jews anywhere in the world are one thing, while those belonging to the Zionism movement who are eradicating Palestinians is a completely different thing," he says. "In Israel itself, there are moderate Jews—and it is unacceptable that our differences with specimens like that of Sharon should be the incentive to generalize our hatred toward all Jews."

Got that? It's all right to say Jews kill Christian and Muslim children and consume their blood, so long as you make clear you're only talking about Jewish "specimens" like the prime minister of Israel. ♦

The News on Iraq

In his testimony before the Senate Armed Services Committee last Tuesday, CIA director George Tenet had some rather remarkable things to say about links between al Qaeda and Saddam Hussein's Iraqi regime. "Baghdad has a long history of supporting terrorism, altering its targets to reflect changing priorities and goals. It has also had contacts with al Qaeda," Tenet explained. "Their ties may be limited by divergent ideologies, but the two sides' mutual antipathy toward the United States and the Saudi royal family suggests that tactical cooperation between them is possible." Or maybe more than possible: "There is no doubt that there have been [Iraqi] contacts and linkages to the al Qaeda organization," Tenet told the senators. "As to where we are in September 11th, the jury's out. . . . It would be a mistake to dismiss the possibility of state sponsorship, whether Iranian or Iraqi, and we'll see where the evidence takes us."

"Where the evidence is taking us" becomes clearer by the day. Tenet said all this just days after the *New Yorker* published Jeffrey Goldberg's blockbuster article on Saddam's ongoing atrocities against Iraq's Kurdish population. Among other things, Goldberg offered evidence that Ansar al-Islam, a Muslim terrorist group operating in Kurdish territory, is jointly controlled by Hussein and al Qaeda operatives; that its members—Arabs and an extremist fringe of Kurds—have trained in Osama bin Laden's camps; that some al Qaeda members fleeing Afghanistan have escaped to border areas controlled by Ansar; and that in 1992, Egyptian Dr. Ayman al-Zawahiri, bin Laden's top aide, made a long visit to Baghdad, where he met with Saddam and other top Iraqi officials.

Given the splash Goldberg's article made, you'd think that an official statement from Tenet tending to corroborate its findings would be front-page news. But you'd be wrong. Two days after running a stand-alone article summarizing the *New Yorker* report, the *Washington Post* published a page-one story on Tenet's Senate appearance that somehow neglected even to mention the CIA director's conclusions regarding links between Iraq and al Qaeda. The *New York Times* demonstrated still weirder editorial judgment, burying the briefest of quotes from Tenet's testimony in a largely unrelated story about U.S. efforts to determine whether al Qaeda had acquired chemical or biological weapons. Whatever happened to "all the news that's fit to print"? ♦

Chop Till You Drop

Gathering inexorable force over the course of thirty years, the movement to banish references to American Indians—sorry, Native Americans—from the names of sports teams seems poised for final victory. As *Sports Illustrated* pointed out last week, "Since 1969, when Oklahoma disavowed its mascot Little Red (a student wearing a war bonnet, buckskin costume, and moccasins), more than 600 school

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teams and minor league professional clubs have dropped nicknames deemed offensive by Native American groups." So wouldn't it be funny, under the circumstances, if it turned out that actual Native Americans don't care a whit about the issue?

Which is the clear implication of another recent report in *Sports Illustrated*. In its March 4 issue, the magazine published the results of a poll taken among 351 American Indians by *S.I.* staff and the Peter Harris Research Group. Turns out a solid majority of respondents had no problem with names like the Chicago Blackhawks, the Atlanta Braves, and the Kansas City Chiefs. Asked specifically if they were offended by the perpetually controversial name of Washington's NFL football franchise, the Redskins, 75 percent of survey respondents said no (among those living on reservations, the number is slightly lower, at 62 percent). Only 29 percent (40 percent on reservations) thought the team's name should change. And when asked whether professional teams should generally stop using Indian nicknames, mascots, and symbols, 83 percent (67 percent on reservations) said no.

Politically correct activists, however, are still on the warpath and brush off the poll numbers as insignificant. "There are happy campers on every plantation," Suzan Harjo of the Morning Star Institute, an Indian-rights organization, has now told *Sports Illustrated*. According to S.L. Price, a writer for *S.I.*, other critics look at the poll as "evidence that Native Americans' self-esteem has fallen so low that they don't even know when they're being insulted."

THE SCRAPBOOK would prefer to give our Native American brethren a bit more credit than that. Perhaps Leigh Kuwanwisiwma, director of the Hopi Cultural Preservation Office in Arizona, puts it best. "I take the middle ground," he tells *Sports Illustrated*. "I don't see anything wrong with Indian nicknames as long as they're not meant to be derogatory. Some tribal schools on Arizona reservations use Indian nicknames themselves. The Phoenix Indian High School's newspaper is *The Redskin*. I don't mind the tomahawk chop. It's all in good fun. This is sports, after all. In my living room, I'll be watching a Braves game and occasionally do the chop."

Chop on, brother. ♦

Raising the Bar

Many WEEKLY STANDARD contributors—many times, in many pages of this magazine—have complained that modern, general-interest journalism does a miserably poor job reporting on law and lawyers. So we are pleased to call our readers' attention to a new magazine specifically designed to redress this defect. *Legal Affairs*, a bimonthly publication of Yale Law School edited by Lincoln Caplan and intended for a general audience, is just out with its inaugural (May/June 2002) issue. It looks awfully good. Subscription information will be available soon at *www.legalaffairs.com*. ♦

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Casual

All the News Unfit to Read

Aloft, on a plane headed for San Francisco, reading the early pages of the excellent biography of the Sanskrit scholar Max Müller by Nirad C. Chaudhuri, I came across the following item about life in the ducal city of Dessau in Germany, where Müller was born in 1823: "One thing which helped the peace of the town was the absence of newspapers. In his young days at Dessau Müller knew only one, which gave nothing but reports of actual events on one, or half, or even quarter of a sheet." I have long ago given up on Utopia, but this seemed a sound state of affairs.

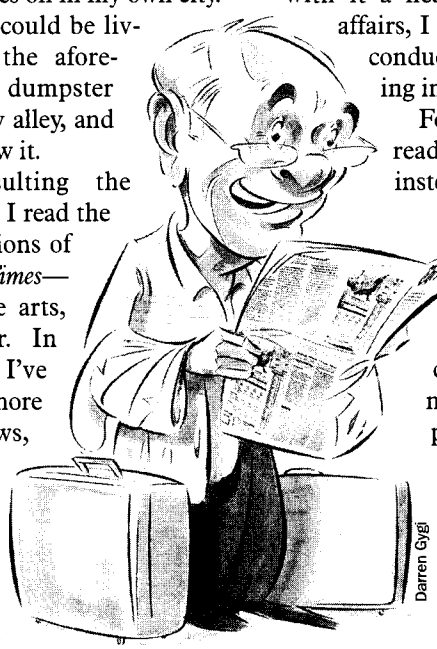
On holiday, I never read a newspaper. As a preface to going away, I call the *New York Times* business office in Chicago, and cancel my home delivery subscription for the days I shall be gone. Invariably, the polite person to whom I give these instructions asks if I would like my papers for the time I will be away to be sent to a local school. Invariably, I answer: "What! Put that poison in the hands of children? Surely you jest." Silence is generally the response.

One of the reasons for going on vacation is to get away from the daily routine, part of which for me is newspaper reading. Someone once said that each day one picks up one's newspaper in eager anticipation and puts it down in disappointment. Smart person, that Someone, for that has been my lifelong experience. I know the importance of newspapers to modern government, but my sentiments have come to resemble those of the character in Tom Stoppard's play *Night & Day* who says, "I'm with you on the free press. It's just the newspapers I can't stand."

I currently read one newspaper a day, but there was a time, living in New York, when I read three and sometimes four a day. I say read when I really mean skimmed. Still, I did this skimming compulsively. There was this thing called the news, and one wanted to stay abreast of it, not miss out on anything as significant as, say, the resignation of the minister of defense in Italy.

I now read only the *New York Times*. Since I neither read any Chicago newspaper nor watch local television news—"Triplets Found in Dumpster, more on Eye Witness News at Ten"—I am splendidly ignorant of what goes on in my own city. A serial killer could be living upstairs, the aforementioned dumpster could be in my alley, and I wouldn't know it.

After consulting the obituary pages, I read the children's sections of the *New York Times*—sports and the arts, in that order. In recent years I've been reading more business news, chiefly that having to do with media mergers and large-scale scandals and the demise of once overpriced executives. Pride may go before the fall for them, but I come after, grinning through my *Schadenfreude*.


Darren Gygi

I read the front of the paper—the adult section—in something just under the world record for the mile. Op-ed and editorials I glimpse quickly; I'd as lief read a *Times* editorial on, say, the environment as memorize the last fifty pages of recent changes in the tax code. I go through the rest of the paper, glancing at headlines, attracted mainly by the monstrous, the goofy, the egregious. I find very little that would make the Dessau news criterion of "actual events."

During my week in California, I didn't once consult a newspaper, and missed it not at all. I turned on the hotel-room television—it was the last week of the Olympics—to watch people sliding around on skis, skates, and sleds; and occasionally I clicked over to CNN, whose crawls of news squibs tend to interest me more than what the broadcasters are reading.

While on this self-imposed newspaper boycott, did I miss anything? Possibly moderately famous people I know or have heard about have died; perhaps some of the professional athletes in my city have decided to rent themselves out to teams in other cities. Arthur Miller will no doubt have received another award carrying with it a heavy cash prize. Public affairs, I assume, will have been conducted at their usual varying intensities of stupidity.

For the week that I didn't read newspapers I read instead about the immensely impressive Max Müller and also *Virgin Soil*, a novel by Turgenev that I feel I could have written myself, so familiar is its plot of the Russian intellectual going out among the people only to find they are insufficiently impressed by his idealism. Don't worry, Mom, I'm reading good.

When I return to Chicago, that day's *New York Times* awaits. No sooner do I put down my suitcase and take off my coat than I find myself turning to its obit pages. No one I know has pegged out. In the sports section I learn that the White Sox have rented the services of Kenny Lofton, the excellent center fielder of the Cleveland Indians. Turning to the arts section, I wonder what new prize Arthur Miller will have won. I guess I'm home.

Joseph Epstein

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The Muddle East

I NEVER THOUGHT I'd find myself accusing Ariel Sharon of being weak, but Reuel Marc Gerecht is right ("Losing the Middle East," March 18). This constant Israeli-Palestinian you-hit-me-so-I-hit-you-back is counterproductive.

The Israeli Defense Force needs to crush the terrorist organizations operating in the West Bank and Gaza, as quickly and thoroughly as possible. But what then?

If Israel does not intend to annex the West Bank and Gaza, it must eventually withdraw from a considerable portion of those territories. Sharon, with U.S. peace envoy Anthony Zinni looking over his shoulder, can then determine where the demilitarized zones should be. The Israeli settlers who end up on the Arab side of those lines will have to be moved to the Israeli side, by force if necessary. The Arabs who wind up on the Israeli side can stay put or leave, their fates to be determined case by case, and those who must leave should get a reasonable sum for relocation and fair market value compensation for any property they lose.

Calming the violence in the Middle East can only be achieved by unilateral Israeli action. In the portions of the West Bank and Gaza from which Israel withdraws, the Palestinians will be free to move about without passing through Israeli checkpoints, to build their own political institutions, and to otherwise do as they wish. What they'll have is a shrunken version of the "Arab Palestine" created by the United Nations in 1947. Will they still be given to violence then, knowing that one more attack on Israel will result in their losing what little they have left?

JIM MCDONNELL
Baton Rouge, LA

IT SURPRISES ME that THE WEEKLY STANDARD would allow the publication of Reuel Marc Gerecht's falsehoods aimed solely at discrediting Egypt's role in the Middle East.

To begin with, Egypt's efforts toward bringing an end to the violence that has bloodied the Middle East and in supporting the U.S.-led effort against global terrorism have been officially acknowledged by President Bush as well as the American press and public. President Mubarak's recent visit to Washington also received the highest praise in the U.S. press. To take one example, of which there are dozens, the *Washington Times* recently published a commentary on March 10 in which the author states: "Despite carefully waged campaigns against him . . . by neo-conservatives . . . and supporters of Israel, Mr. Mubarak has done a great deal . . . to support . . . [Bush's] war against terrorism." Another article, appearing in the March 13 *New York Times*, describes the Egyptian president as a voice of reason in the Middle East.

As for Gerecht's baseless accusations that President Mubarak's wife Suzanne is

pursuing a sinister agenda to undermine a pillar of Egyptian intellectual life, the American University in Cairo, nothing could be further from the truth. There have never been any proposals suggesting the closing of the original campus, as Gerecht erroneously states. He also fails to mention that the proposed new campus in El Qatamiya, a suburb of Cairo, will serve to relieve some of the pressure off the old, overcrowded campus, which is located on Cairo's busiest downtown square.

Not only does Gerecht fail to mention that Suzanne Mubarak is a graduate of the AUC, but both of her children call the American University their alma mater. Speaking at the 75th anniversary of the very institute she is accused of wanting to destroy, Suzanne Mubarak stated that "In a time when bridging the cultural divide between East and West has assumed a new sense of urgency . . . The American University in Cairo, with its solid adherence to the culture and traditions of Egypt, exemplifies the best of both worlds."

The truth is that Egypt will never waiver in its commitment to a just, fair, and comprehensive, peaceful settlement. Discrediting Egypt's historical role is shameful and ludicrous. It is also futile, since Egypt will remain dedicated, and will never change its course towards peace.

AMBASSADOR NABIL FAHMY
Embassy of Egypt
Washington, DC

REUEL MARC GERECHT'S "Losing the Middle East" is understandable as an expression of justifiable anger and frustration, but Gerecht irresponsibly and without explanation uses a widely quoted statistic to misrepresent the impact of Israeli settlements in the West Bank.

Gerecht says the settlements "comprise a bit less than 1.5 percent of the West Bank and Gaza." That statistic is deceptive. These settlements are not contiguous, but rather are scattered about in almost all sections of the West Bank that are not closed by the Israeli military or that are uninhabitable. Elementary arithmetic shows that, with enough scattering, settlements, or anything else, can be nearly ubiquitous without occupying much area.

The settlements' distribution makes them far more intrusive than the simplistic 1.5 percent statistic would indicate, without even considering other controversial issues that Gerecht ignores, such as the settlements' connecting roads under Israeli control, the bypass roads, and water rights in the West Bank, all of which are highly relevant to the true impact of Israel's West Bank settlements.

STEVE WINEBERG
Exeter, NH

Ritalin R_X

MY COLLEAGUES AND I read Melana Zyla Vickers's "Readin', Ritalin,

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and 'Rithmetic" with great disappointment (March 11). We feel it necessary to correct misinformation in the article that contradicts scientific evidence proving the safety and efficacy of Ritalin and other Attention Deficit Hyperactivity Disorder treatments. Therefore, we would like to provide the following facts:

Contrary to the article's assertion that ADHD "is the subject of heated dispute among medical professionals," ADHD is recognized as a valid medical condition by all leading authorities including the U.S. Food and Drug Administration, the National Institutes of Health, the American Medical Association, the American Psychiatric Association, and the American Academy of Child and Adolescent Psychiatry. ADHD has been extensively researched over the last 55 years and is the most studied childhood psychiatric disorder.

In addition, far from Vickers's depiction of ADHD as a benign condition, when left untreated, the disorder can have a profound effect on children and their families. Because of the severity and pervasiveness of the symptoms, ADHD can cause problems academically, socially, and psychologically, thereby affecting a child's self-esteem and ability to reach his or her full potential.

Studies have shown that children with ADHD who go untreated are significantly more likely than others to drop out of high school and college, sustain medical injuries, make few friends, engage in antisocial activity and substance abuse, acquire sexually transmitted diseases, and become pregnant early. Moreover, a recent study found that children with ADHD who received treatment for the disorder experienced an 85 percent reduction in the risk of substance abuse compared to those with ADHD who did not receive treatment.

Furthermore, Ritalin is the most studied drug prescribed for ADHD, with over 200 studies completed on more than 6,000 school-aged children. It has been used safely and effectively for more than 40 years with no evidence of any negative long-term health effects.

LAWRENCE S. PERLOW
Senior Vice President, General Manager
Commercial Operations
Novartis Pharmaceuticals Corporation
East Hanover, NJ

VIVE LA FRANCE

As a subscriber to THE WEEKLY STANDARD, I enjoy the magazine's refreshingly conservative approach to the events of the day. However, I have been greatly disturbed by the tendency of THE WEEKLY STANDARD to hold the French up as the quintessential example of anti-American feeling in Europe.

In particular, I believe it is important to recognize that France is indeed with us in the war against terrorism. Tod Lindberg's "America Knows Terrorism" (March 18) praised the German government for sending troops to Afghanistan (without mentioning that the largest antiwar rallies in Europe have been held in Germany) yet condemned the French government as typical of "distasteful European responses" to our war and wistfully hoped that sometime in the future France will "lend a hand."

France, however, has already sent 4,500 troops to serve in the war, including a squadron of French fighter-bombers that launched airstrikes to support Operation Anaconda, a battalion of soldiers for security duty on the ground in Afghanistan, and a naval task force that includes an aircraft carrier. French intelligence services have also closely cooperated with the United States since September 11, and with great success, including the breakup of an attempted attack on the U.S. embassy in Paris.

Yes, the French foreign minister has criticized widening the war to include Iraq, but it appears that our own secretary of state shares similar views. After all, Vice President Cheney rather than Colin Powell, who opposed military action against Iraq in 1990, has been charged with drumming up support for our coming war against Iraq.

I find it somewhat hypocritical for the United States to criticize France for coming around late to support a war that involves the security of all Western nations. Unlike the United States in past wars, France has immediately rendered military assistance in this conflict. Yet it took three years for the United States to realize that imperial Germany was a threat to our security as well, while France fought in World War I from the beginning, losing 1.3 million men. It took two years and a vicious attack against our own forces to make us finally take a stand against the Axis powers in World War II, while French soldiers fought, and died, from the beginning once again.

While France waged its war against Arab terrorists in Algeria from 1954-1962, the U.S. government did not support the French war effort, and the American media and liberal left denounced the French as imperialists while sympathizing with the poor, misunderstood Arabs.

Lindberg mentions the attack on the U.S. Marine barracks in Beirut, but did not mention that 58 French soldiers were killed in an attack on their own barracks in Beirut that same day. While France dealt with Algerian terrorist attacks throughout the 1990s, the U.S. government did not lift a finger to help, although, granted, the Clinton administration did next to nothing to respond to terrorist attacks on our own soil.

Polls consistently show that the majority of French people support America in the war on terror and approve of their own government's dispatch of military forces to Afghanistan to support the United States. The French know war, they know terrorism, and they know that this war against terrorism is very much their fight as well. They have stepped up to the front lines once again and, with their huge indigenous Arab population and close proximity to the Arab world, have placed themselves at great risk in doing so.

ROBERT B. BRUCE
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Sam Houston State University
Huntsville, TX

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the weekly Standard

The Wrong Fight at the Wrong Time

Many a bone-dry political science disquisition has by now been written about the institutional combat between White House and Congress during the first year of the Bush administration. Our current president is a man who seems especially determined to protect the authority and prerogatives of his office. Which determination has already produced a series of high-profile controversies over restricted House and Senate access to government documents and personnel—West Wing resistance to congressional inquiries about Dick Cheney's energy-policy task force being the best known example. What pretends to be the latest such flap about the federal system's proper "separation of powers"—administration spokesman Ari Fleischer calls it "a classic executive-legislative struggle over information"—involves the question whether Tom Ridge, the White House "homeland security" adviser, should make himself available to testify before the Senate Appropriations Committee concerning the president's domestic anti-terrorism budget.

The Appropriations Committee's chairman, Robert Byrd, and its ranking Republican, Ted Stevens, both insist that Ridge appear. The president is asking that a great lot of new money be spent on terror-related public safety programs, $38 billion in all. Byrd and Stevens have a responsibility to ensure that the money is spent wisely. So Ridge, whom Bush has made his "point man" on the project, is the one administration official the senators are most eager to quiz about it.

The White House, for its part, does not dispute that Ridge plays a central role in the anti-terror campaign. Instead, the administration is withholding his testimony on grounds of formalist principle. Bush aides point out that Ridge is not a Senate-confirmed officer of the government; his job was created unilaterally by the president. Therefore, they reason, unless a public integrity violation has been alleged, Congress has no statutorily specified "oversight" rationale to question Ridge about anything. Technically, at least, Ridge is only a "staffer." And if mere staffers are compelled to answer publicly for their work—something that would represent a "dramatic break from . . . longstanding traditions," according to Ari Fleischer—then their ability and willingness to offer the president "confidential advice" will be permanently and grievously compromised.

It's an interesting argument, we suppose: To what extent might the constitutional order be implicated and the presidency weakened were Tom Ridge to spend a televised hour on Capitol Hill listening to the octogenarian Robert Byrd deliver his memorized, all-purpose speech about ancient Macedonia?

But before we get to that, perhaps we should talk about . . . well, what happens to your luggage when you board a commercial airliner in the United States.

Let's say, just hypothetically, you're a citizen of one of those Arab countries that are America's "partners for peace" in the Middle East. Let's further say you share certain political views peculiarly native to such countries, and you think blowing the arms and legs off women and children is a noble deed. Finally, let's say your student visa application has recently been approved by the Immigration and Naturalization Service Tom Ridge is supposed to be straightening out. So you're here in the States, and you've boarded a packed transcontinental flight, and you've checked a valise full of explosives into the belly of the plane. But during a layover at Chicago's O'Hare, let's say, you've disembarked and vanished, leaving your valise, a ticking time bomb, behind.

They've got a system in place to cross-match connecting-flight passenger manifests with pre-checked luggage, don't they? So as to deter precisely this kind of horrifying plot?

Actually—amazingly—they don't, even now, six months after September 11, and three months after the connecting-flight luggage loophole was first publicly acknowledged, and two months after the Transportation Department announced a pilot program to close that loophole. MSNBC's Alex Johnson reported last week that the pilot program is not yet underway, and that Transportation still has no set plans to institute it. Moreover,

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the recent congressional mandate that would moot this problem—a requirement that every piece of checked luggage on U.S.-flag commercial airliners be subjected to point-of-departure electronic screening—has already been more or less ignored. A system to effect such screening was to have been introduced by the end of this year. But Transportation Department officials have lately admitted that they will miss the deadline. And most industry analysts don't expect them to finish up until—believe it or not—sometime in 2004.

Between now and then, millions of people will board flights making at least one layover in an American airport. Provided not a single one of them is intent on murdering his fellow passengers, everything ought to be okay.

But that seems to us the kind of lottery-ticket gamble a true "director of homeland security" would not be inclined to take at the moment. And so, whether or not he is technically the proper object of a congressional call for testimony, the more urgent question becomes: What exactly is Tom Ridge doing?

Earlier this month, at a much-promoted White House ceremony, Ridge unveiled what appears to be his principal accomplishment to date: the development of a "Homeland Security Advisory System"—the result of an "extraordinary effort" and a job "well done," if he did say so himself—which will henceforth provide Americans with "the information necessary to respond to the threat" of terrorism. See, "based on the information we know there may be some information and some things going on in the world or in this country that we will know about," such is the efficiency of your national government. And so as to communicate this information to the grass roots, the administration now plans to publicize a continuously updated series of color-coded, general threat assessments, from low-risk green to severe-risk red.

The country is now in a code-yellow "elevated" threat situation, incidentally, right in the middle between green and red. But it's not clear what we're meant to do about it; Ridge says he and his colleagues "hope that businesses and hospitals and schools, even individuals working with their community leaders . . . will develop their own protective measures for each threat condition." Nor is it clear that Ridge understands his mission to extend much beyond this kind of "hope." The federal government's executive branch, he proclaims, "will not mandate" that individuals working with their community leaders actually *do* develop their own protective measures. "If, for example, governors or mayors choose not to take extra protective measures in [the] face of a credible and specific threat" . . . well, "that is their right."

So far as the nation's director of homeland security is concerned, apparently, it is the "right" of locally elected ward heelers to make catastrophically bad decisions that might cost thousands of people their lives, and officials in Washington have a corresponding duty to stand aside while it happens. This is quite incredible, really, a federalism-for-dummies simplemindedness that can only give the constitutional separation of powers a very bad name. We would like to believe—we're fairly certain, in fact—that President Bush, Tom Ridge's boss, has a rather more sophisticated understanding of both domestic security and executive branch responsibility.

We're also fairly certain that President Bush is entirely sincere about his refusal, so far, to make Ridge available to the Senate Appropriations Committee. It is true, as a legal and procedural matter, that Congress has no ordinary or obvious claim on the testimony of a nonstatutory executive official like Ridge; were Robert Byrd to issue a subpoena to Ridge, we have no doubt that a federal judge would rule in favor of the White House. It is also true that Capitol Hill's current interest in Ridge seems motivated less by substantive worry over national security than by childish pique and insecurity. Senator Byrd has gone so far as to threaten a delay in next year's Defense Department budget unless Ridge shows up at his committee hearing. David Obey, ranking Democrat on the House Appropriations Committee, has threatened the president's anti-terrorism budget directly: "No information, no money," he says. Here, Congress's priorities would appear to be upside down.

Nevertheless, it strikes us as odd that the White House would deny Senator Byrd his preferred witness on the basis of that witness's ostensibly intimate relationship with the president. Is Tom Ridge, in some essential respect, really a private "staffer," the confidentiality of whose advice to Bush would be fatally compromised were he to appear before Congress? How is it, then, that just last week the administration felt free to leak to the *New York Times* a detailed account of Ridge's "confidential" advice to the president about the bureaucratic consolidation of border security agencies—including the fact that Bush intends to reject the advice? For that matter, wasn't Ridge appointed director of homeland security *precisely* to serve as the public face of domestic anti-terrorism efforts? And does anyone seriously suggest that other administration officials serving similarly public roles—Secretary of State Colin Powell, for instance—are unable, by the very nature of those roles, to provide the president worthwhile, candid counsel?

No. Perhaps, in this particular "separation of powers" dispute, there is more at work than meets the eye. Perhaps, indeed, Tom Ridge is not the perfect person to explain and answer questions concerning those steps George W. Bush's many other competent and intelligent aides and appointees are taking to protect the nation against further acts of terror. But *somebody's* got to do it. What's up with those connecting-flight baggage checks, for example?

—David Tell, for the Editors

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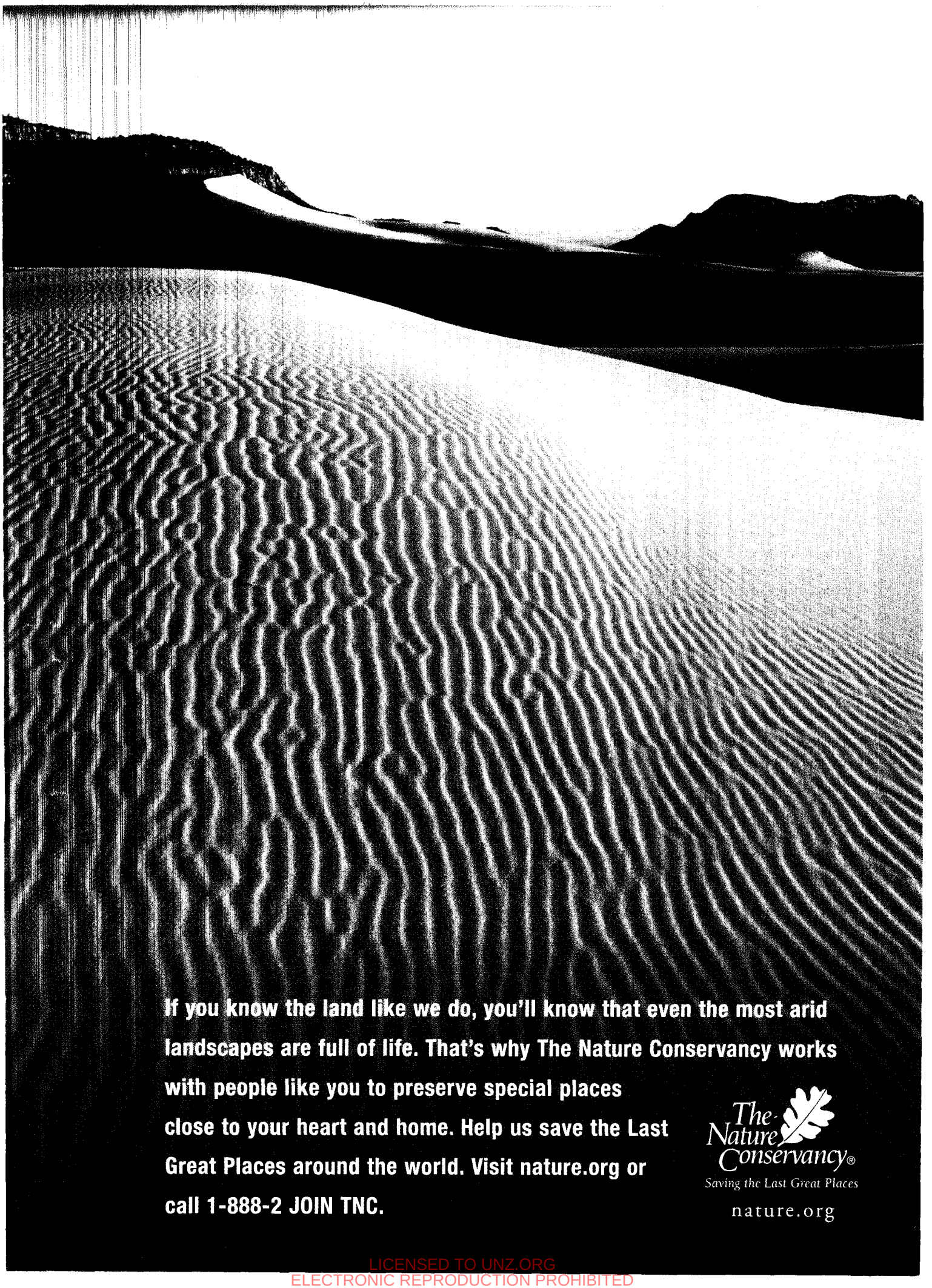

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Bush vs. Nietzsche

The politics of evil.

BY JAMES W. CEASER

ONE HUNDRED and sixteen years ago Friedrich Nietzsche pronounced Western civilization ready to move "*Beyond Good and Evil*," the famous title of his last major book. George W. Bush begs to differ. In so doing, he has reopened one of the great controversies of modern times.

We are, says Bush, engaged today in "a monumental struggle between good and evil." It is only in these old terms, he believes, that we can make sense of our world. As Bush told the American people on September 11: "Today, our nation saw evil." Bush's conception of evil stands as a stark monument on the modern linguistic landscape, unsoftened either by the adjectival form, as in an "evil deed," or by the indefinite article, as in "an evil." The president speaks of evil, pure and simple.

Nor has Bush retreated from this rhetoric since September 11. He has extended evil from a description of the original acts to cover the general method used to carry them out (terrorism), the perpetrators and planners ("the evil ones"), the ideology that claims to justify these acts (a species of Islamic fundamentalism), and finally the nations whose deliberate policy might aid such actions (the "axis of evil"). The last phrase, spoken in January, still dominates political discussion in some parts of the world.

This is admittedly strange language. For conventional thinkers, who pride themselves on displaying subtlety and avoiding judgmentalism, evil presents a huge problem. It is not very subtle, and it can be terribly judgmental. Still, one of the most astonishing developments of the past six months has been not the resistance to the concept—though there has been much of that—but the widespread acceptance. Foreign leaders visiting Washington have followed in Bush's footsteps, sometimes awkwardly, occasionally laundering their words with expressions like "as the president has said." But in the end Chirac, Blair, and Putin all were heard to say "evil," and none left Washington visibly the worse for the experience. But it is not just among these semi-captive political leaders that the new language has taken hold. It has also begun to appear in some very unexpected places. In the aftermath of the brutal slaying of *Wall Street Journal* reporter Daniel Pearl, the *Washington Post* editorialized: "The evil deed of his killers will not go unpunished, . . . neither will his murder leave their evil ways unreported." Will the *New York Review of Books* be next?

Proof that Bush's use of the concept of evil has struck a powerful chord is that once he dared to introduce it, few have been able to offer reasons why he shouldn't have.

Although the president's wordsmiths helped to craft some of his more elegant phrases, no one doubts that this language comes directly, almost uniquely, from George Bush. In fact, it is hard to imagine any other leader in the West, or for that matter any other individual with a plausible shot at becoming president in 2000, who would have framed the issue in this way. The fact is that a large part of George Bush's intellectual framework rests on a Biblical foundation.

Some other recent presidents have been conversant with Biblical thought—Jimmy Carter, for example, is a Sunday school teacher who knows his Bible through and through, while Bill Clinton, supremely versed in Scripture, managed to instruct the nation on redemption. But more than either of these—arguably more than any other president in American history—George Bush has been influenced to his core by his encounter with the Bible, which he revisited in a serious way during a mid-life reevaluation. Bush revealed as much in the campaign, in a debate in Iowa with his Republican rivals for the nomination. Asked "which political philosopher" was most important to him, Bush did not respond by naming his famous antagonist Friedrich Nietzsche, but instead stunned his audience with the terse reply: "Christ, because he changed my heart." This statement was deeply worrisome to many, not so much because they thought it was calculated as because they believed it was sincere.

But Bush has usually made a point of not discussing matters of faith in public. He has not, or not much, based his politics of evil directly on religious authority. He has invoked evil, to use philosophers' language, as a "natural category" designed to identify a real phenomenon. (Here too we should remember that Nietzsche's objection to the old morality was in the first instance an objection not to good as defined in revealed religion but to good as defined in classical philosophy, Christianity being merely, in his view, "Platonism for the masses.") Proof that Bush's use of the concept of evil has struck a powerful chord is that once he dared to introduce it, few have been able to offer compelling reasons why it

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should be thrown out. As the historian Simon Schama wrote: "If this isn't evil, then I don't know what is. And if people are going to use superlatives and say super-super-naughty-wicked-bad—and they are—then they might as well say 'evil.'"

President Bush is neither an intellectual nor a theologian. He is generally unpretentious when it comes to big ideas. For all we know—unlike all of the political commentators in Washington—he may never have read Nietzsche. Still, his introducing the concept of evil may prove to be more consequential than anyone imagines. Its most distinctive aspect lies in what it suggests about causality.

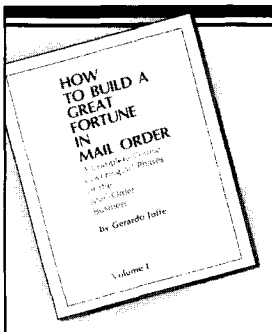
The modern mind is used to breaking things down and assigning to every effect some material cause, such as, in the case of the current terrorist movement, deprivation, mistreatment, or mistaken policies. The explanation of evil refuses this approach. It offers itself as its own cause: Evil is not caused; it is a cause. To attribute explanatory power to a moral or spiritual substance (or, as some might prefer to put it, to a lack thereof) is today an unusual way of thinking, and it leads to the still more unusual conclusion that for certain ills there is no remedy to be found in ordinary social policy or therapy.

Two other connotations of the concept of evil draw at least implicitly on elements of religious faith, though not Christianity alone. One is the idea that in the presence of evil, resistance is a positive obligation. The situation cannot be left to slide; one cannot take satisfaction from having merely said the right things. Bush's politics of evil is meant to fortify resolve. It amounts to a declaration that deeds count more than words, and deeds are imperative: "This is the calling of the United States of America, . . . a nation built on fundamental values that . . . rejects evil. We will not tire."

Another connotation is that in the struggle between good and evil, the universe is not indifferent. As Bush said at the United Nations: "We're confident, too, that history has an author who fills time and eternity with his purpose. We know that evil is real, but good will prevail against it. This is the teaching of many faiths, and in that assurance we gain strength for a long journey." Those with faith surely will find solace in this view, while others must discover a way to proceed in the face of their doubts.

Bush's use of the concept of evil fits into an important debate in American thought that has been going on now for well over a hundred years. Led by John Dewey, a concerted effort was undertaken early in the twentieth century by many Progressive thinkers to throw out the concept of evil. The reason, as explained by the contemporary philosopher Richard Rorty, was that it "thwarted their notion of confidence in education and social reform." The Progressives saw evil as incompatible with their notion of the infinite perfectibility of man. If, however, the term evil had to be kept, these Progressives sought to empty it of its old content and redefine it (Rorty again) "as the failure of the imagination to reach beyond itself." In this use—or abuse—of evil, the term would become little more than a synonym for "unenlightened." An evil policy would be one that was unprogressive.

This pitiful plan to place us beyond good and evil, American style, failed. It could not do justice to the horrors people saw with their own eyes in the years following the Progressive era. Yet a residue of this thinking can still be detected. It may explain, for example, a curious blind spot in many of the commentaries on



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Bush's rhetoric, namely the assertion that no other president with the exception of Ronald Reagan has spoken of evil. (Reagan, who famously called the Soviet Union the "evil empire," would in this view be the exception that proves the point: Reagan and Bush are the two recent presidents who somehow missed the modern intellectual revolution.)

But in fact President Clinton referred fairly often to evil—in speaking of the Oklahoma City bombing, the murders of Matthew Shepard in Wyoming and James Byrd in Texas, the genocide in Rwanda, and the Serbian policy of ethnic cleansing against the Kosovars. The absence of any notable reaction, then or now, to his language is striking. It points to the fact that the term evil is frequently used by modern commentators, even and especially those who professed dismay when Bush "revived" it. Whenever an awful deed can be thought of as a regressive action, whenever it can be associated with Fascism or hate crimes towards groups left behind, whenever it can be conceived as embodying an "older" way of thinking, modern intellectuals have no reluctance to speak of evil. But while such cases do in fact encompass evil, they do not exhaust the phenomenon.

What is unprecedented in Bush's language, then, is not that he uses the term evil, nor even that he has made so much of it, but that he has conceived of it, by modern standards, in an unconventional way. He has cast aside any residue of the Progressive idea of evil as a temporary phase to be overcome, and reverted to the older understanding of evil as an omnipresent part of reality. His reintroduction of this concept serves not only as an aid in the war against foreign terrorism, but also as a corrective to the dominant materialist tendencies in our own civilization that deny substance to the soul or a moral nature to man. This correction is the cultural linchpin of George Bush's new homeland security policy and promises to be one of his most enduring contributions. ♦

Campaign Finance Reform Succeeds...

At pleasing rich liberals and protecting incumbents. BY FRED BARNES

CAMPAIGN FINANCE REFORM could have been a lot worse. In 1994, both houses of Congress passed legislation banning soft money, slapping tight restrictions on independent issue ads, and mandating partial public financing of House and Senate races. Only a filibuster that blocked the naming of Senate members to a House-Senate conference killed the legislation. In 1992, it took a veto by the first President Bush to nullify a bill subjecting House and Senate races to sharp spending limits, offering some public financing, dramatically curbing soft money, and capping donations to candidates by political action committees (PACs). A measure of how far we've come is the Republican alternative sponsored that year by Bob Dole, then Senate minority leader. It would have reduced to $500 from $1,000 the allowable amount for hard money contributions from out of state.

The bill that passed Congress this March is narrow in comparison: It's campaign reform lite. It actually boosts the hard money limit to $2,000 and indexes it to rise with inflation. This is one reason President Bush reneged on his explicit promise during the 2000 presidential race to veto the Shays-Meehan version of campaign reform. Instead he's agreed, with reservations about its palpable constitutional flaws, to sign exactly that measure. Another reason is that it will immeasurably aid his reelection campaign in 2004. His Democratic opponent will probably be out of luck until after the party conventions in August, when public financing of the general election kicks in. Without soft money to fund Democratic ads, Bush will have a field day from early spring, taking advantage of his peerless skill in raising hard money to fund a TV ad blitz that Democrats won't be able to match.

Fred Barnes is executive editor of THE WEEKLY STANDARD.

It's not only Republican colleagues and a few journalists who recognize what the leading anti-reformer, Sen. Mitch McConnell, has accomplished over the years. A disgruntled reform group, the Naderite U.S. Public Interest Research Group, does as well. "It's clear that you've won the war on this issue and that the reform community has lost," two PIRG officials said in a letter to McConnell. "You have shifted the debate so successfully over the past decade that these 'reformers' are declaring victory by passing a bill that is much weaker than one you were once forced to support." McConnell backed the Dole bill in 1992 as the lesser evil.

The mainstream press, notably the *New York Times* and *Washington Post*, played a key role in passing a reform bill. (The bill exempts newspapers from limits on issue ads.) But the media could be accused of bait-and-switch. McConnell's aides calculated that either the *Times* or the *Post* had a pro-reform editorial every 5 1/2 days, arguing reform was crucial to saving our democracy and curbing corruption. When the bill finally cleared the Senate, a *Times* editorial declared it "a victory for all Americans." But on the front page the same day, Richard Berke, the *Times*'s chief political reporter, wrote: "Many players in financing elections will find their roles untouched—or even enhanced."

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A new class of fund-raisers may emerge, he said, "who are industrious about soliciting donations from large numbers of people." Now they tell us.

Reformers, including the well-intentioned Sen. John McCain, should not be conceded the ethical high ground in the campaign finance debate. For one thing, they have assiduously looked out for their own interests. The bill aids congressional incumbents by eliminating soft money, a major source of funding for House and Senate challengers. Incumbents rely largely on hard money and now they'll get more of it. Also they are terrified of finding themselves in a race against a zillionaire who's financing his or her own campaign. The new law lets an incumbent raise much more hard money (up to $6,000 per donor) in that case.

Also, incumbents balked at giving challengers a break by requiring TV stations to cut or eliminate their fee for campaign spots. That provision was passed by the Senate, then readily abandoned when the House didn't go along. McCain explained Congress couldn't withstand pressure from the broadcast industry, and indeed that pressure was intense. Still, the reformers gave up without much of a fight, no doubt privately glad to have averted potential reelection trouble.

Then there's the whole question of corruption. For two decades now, reformers have been claiming that Congress is corrupted by the flood of campaign money. But McConnell has asked repeatedly for examples of who's been corrupted—and never gotten an answer. But if any donations were to cause a senator or congressman to change a vote, it wouldn't be soft money. Most members of Congress pay little or no attention to soft money donations to their party. But their minds are riveted on hard money donations to their reelection campaigns. So it would be hard money, not soft, that conceivably could corrupt a member and change a vote. But what do reformers do in their bill? They increase the limit on hard money and get rid of soft. It's nonsensical. Sure, they argue that's the best they could do. But the truth is soft money was their chief target from the start.

A final jarring aspect of the reform movement is its membership. It's the ultimate elitist group. The public could not care less about campaign finance reform. Poll after poll has confirmed that. The reform drive was manned by groups funded largely by liberal foundations and the rich. One wealthy figure, Jerome Kohlberg, created his own organization, Campaign Reform Project. It financed newspaper and TV ads, all with soft money. Indeed, the entire reform effort was paid for with unregulated soft money. In other words, well-heeled reformers used soft money to keep the rest of us from using it. And unless the Supreme Court intervenes, they will have succeeded. ♦

The Survival of Arafat

He lives to fight another day.

BY TOM ROSE

Jerusalem

VICE PRESIDENT DICK CHENEY'S surprise offer to meet with Yasser Arafat on condition that Arafat "showed a 100 percent effort" to stop terror was the biggest news story of March 19. But just 12 hours later, a suicide bombing ripped apart an Israeli bus, murdering seven civilians and wounding dozens. Israeli foreign minister Shimon Peres attempted to put the attack in perspective, explaining, "It takes time for the word to get out." Cheney's offer to Arafat had already made headlines in Jakarta but apparently hadn't had time to make it to Jenin.

Sending a deputy out to explain away yet another suicide bombing in downtown Jerusalem the next day, Peres begged livid Israelis to see that the best they could hope for was a "non-hermetic" cease-fire. In essence, Peres was saying, terrorism can never really be beaten, so Israelis are just going to have to lower their expectations and accept terrorism as a fact of life.

Tel Aviv was the final stop of Cheney's seven-day, eleven-nation Middle East tour. Although the vice president's first words upon landing in Israel reiterated America's commitment to the security of the Jewish state, the working message of his visit was that the Bush administration's patience with the government of Prime Minister Ariel Sharon had run out.

On each and every prior stop of his tour, Cheney had been hounded about U.S. support for Israel. In Kuwait, he'd found himself publicly accused of neglecting the Palestinian people—by the same emir who 10 years ago expelled the 300,000 Palestinians then living in the emirate. In Cairo, he'd been "educated" about Arab public opinion and the limits it places on Arab leaders by the unelected president of Egypt. In Saudi Arabia, he'd been greeted with a front page article in the official daily *Al-Riyadh* "revealing" that to be considered kosher, the traditional pastry for the Jewish festival of Purim must be made with the blood of Muslim adolescents.

But even before Cheney had left Washington, the Bush administration had decided its only choice was to reengage with Arafat. Following the capture in early January of a ship

Tom Rose is publisher of the Jerusalem Post.

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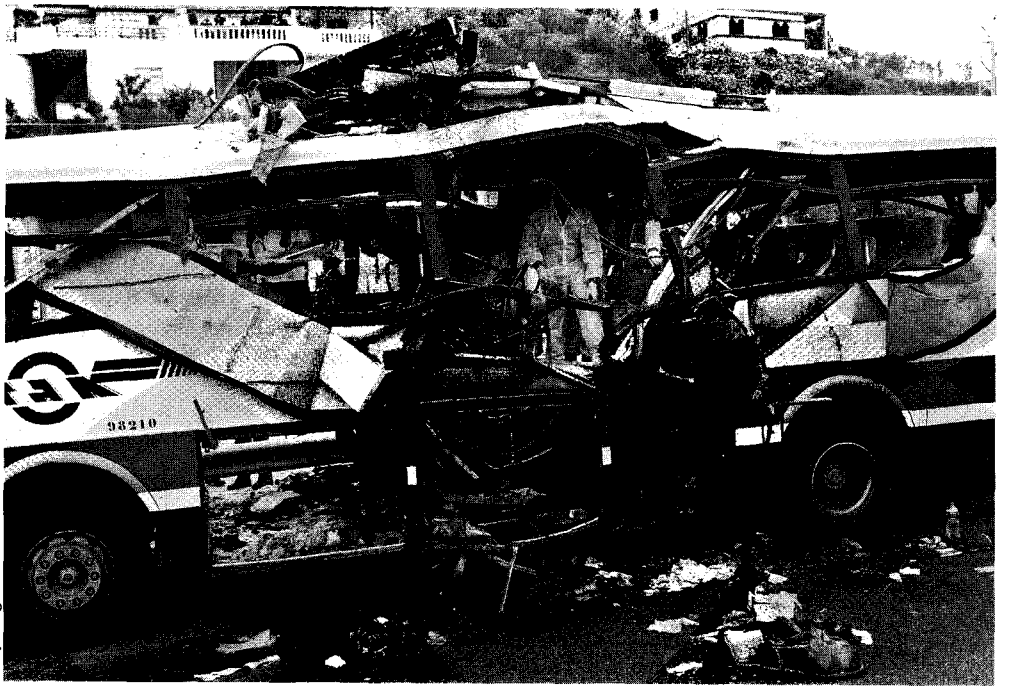

Getty Images / David Silverman

The bus destroyed by a suicide bomber, March 20.

loaded with arms and explosives bound from Iran for the Palestinian Authority, Washington had stepped back, leaving Sharon free to tackle terrorism as he saw fit. But Sharon, more concerned about his own political survival than replacing Arafat, had failed to act decisively.

Cheney, meanwhile, had seen firsthand the dismal level of Israel's leadership. In January, Defense Minister Benjamin "Fuad" Ben-Eliezer, fresh from surviving a hotly disputed Labor party leadership race by dint of a court-ordered recount, had popped in for his first official White House visit. The not-ready-for-prime-time Ben-Eliezer, emerging from his meeting with Cheney, had boasted to waiting Israeli journalists, "Dick hates Arafat more than we do," then had proceeded to quote "Dick" as saying, "You can hang that son-of-bitch for all I care." Israeli officials, horrified that Ben-Eliezer would repeat a private conversation (assuming that Cheney had even said any such thing), spent the next few days apologizing for the faux pas.

In early March, Sharon responded to a deadly wave of terrorist attacks that killed 55 Israelis by proclaiming to his cabinet that the only way to defeat Palestinian terror was to "kill enough of them that they come begging for mercy." But while Sharon was talking like Slobodan Milosevic, he was acting like Jimmy Carter. The very next day, Sharon announced that he was dropping his U.S.-supported demand for seven days of quiet before agreeing to political negotiations with the Palestinians and releasing Arafat from his three-month house arrest. The decision to confine Arafat to his Ramallah compound had reportedly been made by Sharon himself. Yet the prime minister, who continually reassured the world that Israel had no intention to undermine Arafat, delivered the Palestinian leader all the benefits of martyrdom without any of the costs.

Sharon's unwillingness to sweep away Arafat and his regime condemns Israelis and Palestinians to continued bloodshed and Sharon to imminent political defeat. Ever since he was unfairly attacked for not having "prevented" the massacre of hundreds of Palestinian refugees by Christian Phalangist militias at the Lebanese camps of Sabra and Shatila back in 1982, Sharon has desperately sought vindication. But by resolving never again to "lead Israel into war," Sharon only immunizes his enemies while exposing Israelis to ever greater risks at ever higher costs.

Between Shimon Peres with his defining terrorism down, Fuad Ben-Eliezer with his juvenile irresponsibility, and Ariel Sharon with his incomprehensible bungling, the trio currently leading Israel display a marked resemblance to Larry, Curly, and Moe.

Yet if Israel's missteps go a long way toward explaining the recent change in American policy, Washington's new policy is nonetheless flawed. The Arab world is terrified not of the regional instability that might ensue if American efforts to depose Saddam Hussein fail, but of the regional instability that might ensue if those efforts succeed. To Arab leaders, "regional stability" means safety for their own regimes, all of which are undemocratic. If America does manage to help free Iraq from decades of ruthless tyranny and assist that country toward a more open future, the "regional instability" that might result could be the best thing that ever happened to the Middle East.

Washington's mistake in facilitating Israel's capitulation to terror is that it corrodes America's own resolve to fight and win the war on terrorism. President Bush's magnificent March 11 statement that "There can be no safe haven for those who target the innocent for murder" was greatly undermined when just three days later he criticized Israel's efforts to deny safe haven to those who murder innocent Israelis. By even implicitly equating Israel's targeting of terrorists with the terrorists' targeting of innocents, the Bush administration has unwittingly weakened its own moral case for war. ♦

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Kafka in Massachusetts

A court polices itself in secret, and keeps secret its reasons for doing so. BY PETER BERKOWITZ

FREE SPEECH, fair process, and judicial independence are under assault in Massachusetts. What makes the attack peculiarly insidious is that it is being led by the commonwealth's highest court.

Unavoidably, courts must occasionally rule in cases involving alleged judicial misconduct. In such cases, the only protection against suspicions of judicial partiality or overreach is public scrutiny of the judicial process. However, on March 6, the state's Supreme Judicial Court, facing just such a situation, shrouded the judicial process in secrecy. The court's ruling, *In re: Enforcement of a Subpoena*, violates a very simple principle: Courts should avoid being both judge and party to a case, and when they can't, they should ensure their own accountability by making their process and their reasoning as transparent as possible.

To understand the threat posed to the rule of law by the March 6 ruling, some background is required. In September 2000, Massachusetts trial court judge Maria Lopez came under fire for leniency when she sentenced transsexual Charles Horton to a year of home detention after he pled guilty to attempted rape of a 12-year-old boy. Subsequently, allegations circulated that Judge Lopez, seeking to defend her decision, had participated in a "whispering campaign" against the boy. In response to these allegations, the Supreme Judicial Court appointed a special counsel—Paul Ware, a lawyer with the Boston firm of Goodwin Procter—to lead a Judicial Conduct Commission investigation of Lopez. The commission is an agency of the court, to which it reports.

As part of its investigation, the Ware commission issued a subpoena to Stephen Mindich. Mindich is Judge Lopez's husband, and he also happens to be the owner and publisher of the *Boston Phoenix* and an influential Boston media figure. The subpoena covered a wide assortment of Mindich's professional and personal communications with anyone and everyone other than his wife and his lawyers concerning the allegations against his wife. Mindich regarded the subpoena, particularly the request for all of his e-mails in any way touching on the controversy, as wildly overbroad, and refused to comply with it.

Claiming that the subpoena infringed his First Amendment free speech and free press rights, and that disclosure of his e-mails would invade his privacy and that of his correspondents, Mindich last summer challenged the subpoena. In October, Supreme Judicial Court justice Francis X. Spina not only ruled that Mindich must comply with the subpoena and turn over his e-mails to the commission, he also took the remarkable step of sealing all the legal papers in the case—all of the briefs, affidavits, motions, and other papers filed by both sides. The only document to escape this blanket of secrecy was Spina's own terse opinion rejecting Mindich's legal arguments. And Spina's opinion was only unsealed as a result of a request that came from the *Boston Herald*, which had intervened in the case. Hence, the public knows that the court ruled against Mindich and upheld the subpoena, but it has been denied access to Mindich's rejected arguments and to the commission's successful ones.

Even worse, and in Orwellian fashion, Spina ordered the sealing of the parties' briefs contesting whether the legal papers should themselves be sealed. So the public cannot see each side's arguments as to whether it is legally permissible in a free society governed by the First Amendment for a high court to keep the public from reading arguments contesting the legality of that court's gag order. On March 6, the full Supreme Judicial Court upheld both of Justice Spina's rulings—the enforcement of the subpoena and the sealing of all legal papers including those contesting the sealing—but it has yet to issue any opinion justifying its actions.

What conceivable purpose could be served by the Supreme Judicial Court's decision to shroud in secrecy Stephen Mindich's legal arguments, both those challenging the commission on Judicial Conduct subpoena and those challenging the court's sealing of his legal arguments? Obviously, the purpose is not to protect Mindich himself, who is a witness in the commission's investigation and has fought to have his legal arguments open to public review, believing that public awareness of the court's conduct represents the best way to hold the court accountable and vindicate his rights.

Perhaps the court is seeking to protect the boy who was the victim of the sexual assault. But why couldn't it do this by redacting the legal papers, excluding compromising mentions of the victim?

Perhaps the Supreme Judicial Court is seeking to protect Judge Lopez's right to privacy by preventing the public disclosure of confidential information in Mindich's brief that was gleaned from the commission's investigation. This can't be the explanation, though, since according to Mindich's attorney Harvey Silverglate, "Not one line from anything in our papers comes from anything we

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learned from the commission's papers. We went out and did our own investigation and we interviewed witnesses who had been interviewed by the commission and we made allegations about abusive tactics against other witnesses as well as Mindich, and all of this has been sealed along with our arguments for why it should be unsealed" (disclosure: Harvey Silverglate is a friend who has on occasion advised me).

In fact, there seems to be only one party that benefits—or might conceive of itself as benefiting—from secrecy in the case of Stephen Mindich's Supreme Judicial Court challenge, and that is the Supreme Judicial Court. Here the court has upheld a subpoena issued by an arm of the court. The court has refused to allow the public to examine any of the opposing parties' advocacy, allowing only its own rulings to be read. Of course, this means that the public cannot determine whether the court's ruling on behalf of its own agent, Special Counsel Paul Ware, is as legally justified as its forthcoming opinion will doubtless claim it to be.

Members of the judiciary—that branch of our political system for which impartial, reasoned, and public judgment is most central to its proper functioning—ought to be particularly solicitous of the need to permit public scrutiny of cases in which they function as both judge and party. As James Madison, giving classic formulation to a cardinal principle underlying the rule of law, argued in *Federalist* 10, "No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity." Yet instead of embracing the simple measure of transparency to lessen the obvious conflict of interest that afflicted its consideration of the legality of the commission's subpoena of Stephen Mindich, the highest court in the state of Massachusetts has, by sealing all of Mindich's arguments, only aggravated the conflict. Precisely in a case where the court is most in need of public accountability it has evaded accountability.

Perhaps one might say on the court's behalf that its reasons for putting all of the legal arguments in the case of Stephen Mindich under lock and key will become clear when it issues an opinion in support of its March 6 ruling. Alas, we will be in a poor position to evaluate the court's reasoning so long as we are unable to read for ourselves the arguments advanced by the parties on both sides of the issue. Of course in ordinary circumstances our system requires some presumption in the court's favor. In ordinary circumstances, however, a state supreme court does not flout the most basic principles underlying the rule of law. ♦

Michael Ramirez

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Cheney Trips Up

The vice president's Middle East expedition didn't help the war on terror.

By Robert Kagan & William Kristol

Not since Secretary of State Warren Christopher returned from Europe with egg on his face in May 1993 has a high-ranking American official had such a bad week abroad as Vice President Dick Cheney just spent in the Middle East. At least that's the way it looks from the outside. Christopher, you'll remember, was sent to Europe by President Clinton to seek allied support for an American plan to help Bosnian Muslims defend themselves against Serbian killers. Christopher failed to make a forceful case to the Europeans, who told him to get lost, and he went home empty-handed and humiliated. We had hoped and expected Cheney to do somewhat better at rallying support among Arab leaders, many of whom owe their survival to the United States. It's not clear he did.

Let's start with the subject of greatest importance to President Bush, the subject that Cheney's trip was primarily intended to address—Iraq and the removal of Saddam Hussein. Publicly, at least, the vice president had to endure endless embarrassing lectures from his Arab hosts, from Saudi Arabia to tiny Bahrain. Whatever may have been said in private, the non-stop Arab harangue hurt Bush's effort to gain support for his Iraq policy. Headlines in European newspapers read, "Cheney's Tour Adds to Doubts Over Iraq Action." Democrats like Tom Daschle and some Republican senators like Chuck Hagel and Pat Roberts will point to Arab criticisms as the best argument against any move on Saddam. Was this really what President Bush and his advisers had in mind when they planned Cheney's visit?

Nor is it entirely clear what message Cheney delivered to his Arab friends, even in private. We had hoped Cheney would approach the Saudi royal family with the same tough choice the administration presented Pakistani president Pervez Musharraf a few months ago: You're either with us, or you're with the terrorists. You decide.

Instead, Cheney seems to have avoided putting the Arabs on the spot. He told Arab leaders both publicly *and* privately that the United States had made no decisions regarding Iraq. This relieved the Arab leaders of the need to make a choice, at least for now. We have no doubt that Cheney made clear America's grave concerns about Iraqi weapons programs, and he described the kind of inspections regime the United States wants in Iraq. But this was hardly news to Arab leaders. Probably the most surprising aspect of Cheney's message, to those leaders, was that the United States still didn't know what it wanted to do. As the vice president himself put it at a press conference with President Bush this past Thursday, "I went out there to consult with them, to seek their advice and counsel to be able to report back to the president on how we might best proceed to deal with that mutual problem." Funny, that's just what Warren Christopher said on his failed trip to Europe.

The Arab leaders, meanwhile, had their own game plan for the Cheney trip, and they stuck to it with impressive unity and determination. On the eve of Cheney's arrival, Arab officials outlined their strategy to the *Washington Post*: "They intend to press the United States hard . . . to shelve any plan for a military strike against Iraq and to concentrate instead on [the Saudi peace plan] and on easing the violence in Israel and the Palestinian territories." The goal was not to listen to American plans, but to change them, to force the United States to "re-examine" its policies in the Middle East. As one Saudi official told the *Post*, "The U.S. is concerned with an old issue, Iraq. They are making it a priority when it should not be. . . . Iraq can afford to be delayed. The other issue cannot." In the tiny United Arab Emirates, Sheikh Zayed bin Sultan al-Nahayan told Cheney he was against a strike on Iraq and demanded that the Bush administration "stop the grave and continued Israeli aggression against the Palestinian people." Just about every other Arab leader told Cheney much the same thing.

After a while, Cheney himself started repeating the Arab mantra. "I sense that some people want to believe

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that there's only one issue I'm concerned about," the vice president said in Qatar, "or that somehow I'm out here to organize a military adventure with respect to Iraq. That's not true. . . . [Iraq is] one of many issues we're concerned about." To prove the point, Cheney began shifting his focus dramatically. The last phase of his trip became consumed with one issue: addressing the Israeli-Palestinian conflict, just as Arab leaders had hoped and demanded.

As a matter of fact, throughout Cheney's trip, at the same time that Arab leaders were publicly bad-mouthing the Bush administration's policies, privately they were asking Cheney for help with their agenda. At the top of their list was the rescue of Yasser Arafat. Saudi crown prince Abdullah asked Cheney to secure Arafat's release from Ramallah, where Israel has kept him under virtual house arrest, so that Arafat could attend the Arab League summit in Beirut beginning on March 27. Kuwaiti foreign minister Sheikh Sabah al-Ahmad al-Jaber al-Sabah declared: "We hope that the vice president, during his visit to Palestine and Israel, would take into consideration Yasser Arafat's presence in the Beirut gathering. This would be a credit to the United States that it has done something for the brothers in Palestine."

The Arab desire to secure Arafat's safe passage to Beirut gave birth, in turn, to the idea that Cheney should meet with Arafat himself. Prior to Cheney's visit to the Middle East, there had been no plan for a meeting with Arafat. President Bush had shunned Arafat for his entire presidency, and if anything the Bush administration had been moving closer to dismissing Arafat altogether as a useful negotiating partner.

But now, as a favor to the Saudi royal family, Cheney agreed to consider a meeting with Arafat. Note, however, that the key issue was not just the meeting itself, but its location. Cheney proposed that he meet Arafat not in Palestinian territory but in Cairo, for, as the *New York Times*'s Michael Gordon explained, "If Mr. Cheney were to meet Mr. Arafat outside of Israel next week, that would force the Israelis to lift the travel ban on the Palestinian leader and make it possible for him to attend the Arab League summit meeting in Beirut next week, which was an important Saudi request."

As it happened, before Cheney even got back to Washington, a terrorist had blown himself up on an Israeli bus, killing seven and wounding many more. But as one of the top officials traveling with Cheney told reporters, "I think the attack this morning, if anything, reaffirms the importance of getting on with the whole Tenet implementation plan." In other words, one terrorist attack wasn't going to get in the way of our doing this big favor for the Saudis.

How about two terrorist attacks? Or three? The very next day, a Palestinian terrorist blew himself up in downtown Jerusalem, killing three Israelis, including a pregnant woman, and injuring dozens more. Taking credit for the attack was the Al Aqsa Martyrs Brigades, a terrorist group directly under the control of Yasser Arafat's own Fatah organization. This led to a stern phone call from Secretary of State Colin Powell to Arafat, and some strong words from the White House, too. Then on Friday, another Al Aqsa terrorist blew himself up at an Israeli military checkpoint. Despite all that, as this magazine goes to press, Cheney's meeting with Arafat in Cairo has not been definitively canceled. And either way, Arafat has been relegitimized and the war on terror compromised, because his use of terror has been rewarded by the American government.

We understand perfectly well the sophisticated defense of American diplomacy last week. It's all tactical, we're told. Never mind what the vice president says, and never mind what the Arabs say. In order to win Arab acquiescence in an attack on Iraq, the Bush administration needed to quiet things down in the Israeli-Palestinian conflict. The president needed to look like he cares about Arab sensitivities. And absent some U.S. effort to revive the peace process, we'll never get Arab leaders on board for an assault on Iraq.

It's a clever argument, but we think it's wrong. The Arabs will not be so easily bought. Nor is it possible to build up Arab goodwill with a few gestures here and there. Even now, it looks like Cheney's improvisational diplomacy has put the administration in a no-win situation. Either Cheney goes ahead with the meeting with Arafat in Cairo—in which case he will be sending a clear message that the killing of Israeli civilians by Palestinian terrorists under Arafat's authority is of less concern to the United States than appeasing Arab opinion. Or the meeting is canceled. The Arab summit will then become an anti-Israeli and anti-American free-for-all.

How's that for calming things down? The administration could actually be worse off than before Cheney's trip. Arafat will have gotten a new lease on life, but the conflict will be no closer to a resolution. Meanwhile, having accepted the central Arab claim—that the Israeli-Palestinian conflict and the issue of Iraq are inseparable, and that the former must take precedence—the administration will have to persist in the hopeless effort to bring peace to the Middle East. Either that, or it will have to reverse course and make clear to the Arab leaders that Iraq is our top priority, not the peace process.

Which is precisely what the vice president should have done on this trip. Why didn't he? A year and a half ago, Tim Russert asked Cheney if he ever regretted not

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taking Saddam out during the Gulf War. "The fact of the matter is," Cheney told Russert,

> the only way you could have done that would be to go to Baghdad and occupy Iraq. If we'd done that, the U.S. would have been all alone. We would not have had the support of . . . the Arab nations that fought alongside us in Kuwait. . . . Conversations I had with leaders in the region afterwards—they all supported the decision that was made not to go to Baghdad. They were concerned that we not get into a position where we shifted instead of being the leader of an international coalition to roll back Iraqi aggression to one in which we were an imperialist power, willy-nilly moving into capitals in that part of the world taking down governments.

The Arab leaders, of course, feel pretty much the same way today. At some point, the Bush administration is going to have to turn them around. But appeasing their impossible demands for renewing a dead peace process is not going to do the trick.

Unfortunately, the vice president still seems to believe that success lies in creating the closest possible relationship with the Saudi royal family. Cheney was pleased to report that his dinner conversation with Crown Prince Abdullah was "one of the warmest sessions I have ever had, frankly, in Saudi Arabia." That's too bad. What's needed is a frosty session with the Saudi royal family—the funders and supporters of the Taliban, of radical anti-American Islam around the world, and the rulers of a kingdom that produced 15 out of the 19 September 11 hijackers, whose newspapers reprint the Jewish blood libel, and which refuses even now to let the United States use key military facilities to conduct the war in Afghanistan.

Yasser Arafat

Illustration by Drew Friedman

Fortunately, President Bush seems to see things more clearly. There was an interesting moment at the Thursday morning press conference at the White House. A reporter asked Cheney whether the Arabs would support strong action against Iraq, and Cheney responded with his line about how he had only gone "out there to consult with them, seek their advice and counsel." At that point Bush intervened, unbidden, to make a very different point. Cheney's trip, Bush insisted, was aimed at making the Arabs understand that "this is an administration that when we say we're going to do something, we mean it; that we are resolved to fight the war on terror . . . ; that we understand history has called us into action, and we're not going to miss this opportunity to make the world more peaceful and more free." In other words, Bush intends to get rid of Saddam, and Arab leaders had better adjust themselves to that reality.

The episode revealed a lot. For one thing, it showed how far Bush has gone in transforming himself into a strong and confident leader. It's hard to imagine the Bush of a year ago stepping in to correct the vice president on a matter of foreign policy. More important, it showed that Bush knows exactly what he's doing. While the Middle East hands try and fail to fashion a sophisticated policy to woo the Arabs, Bush has a much truer and deeper understanding of the way the world works. The Arab leaders will turn around when the United States shows convincingly that it will not be deterred, distracted, or delayed.

There is thus good reason to believe that while Cheney's trip may have hurt the cause, the damage will turn out to be temporary. The decision on Iraq and the prosecution of the war on terror remain in President Bush's steady hands, and we have every confidence he will do what's right. ♦

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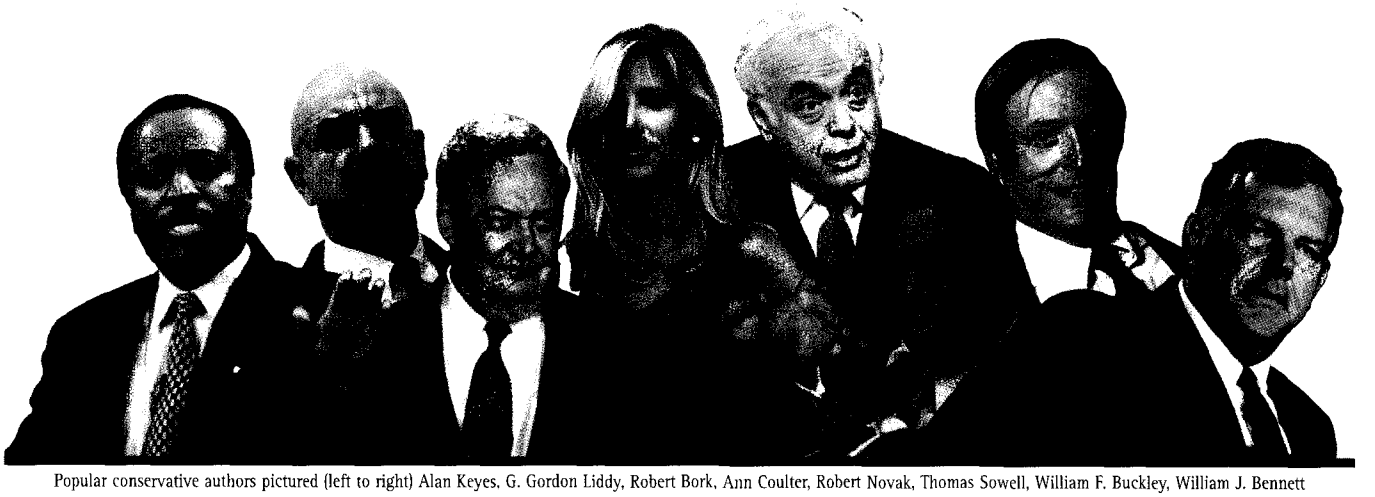

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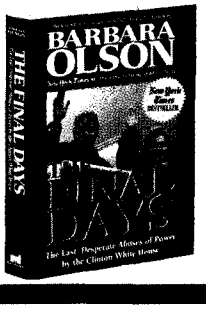

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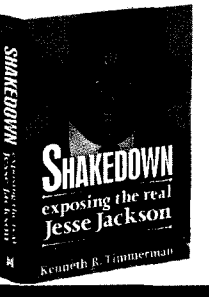

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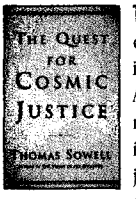

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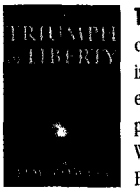

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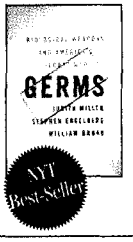

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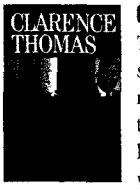

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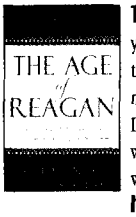

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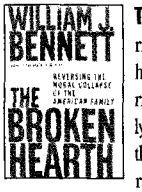

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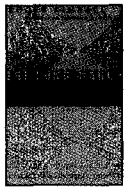

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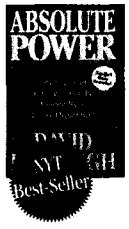

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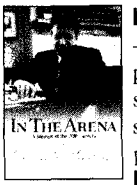

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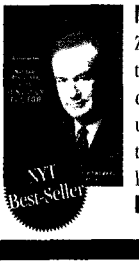

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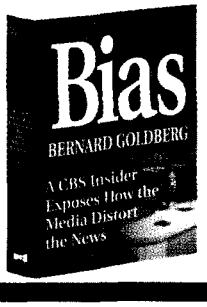

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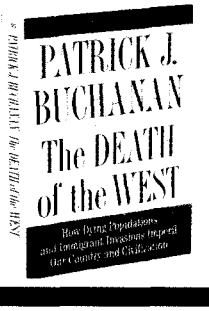

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Forget the "Arab Street"

It's the mood in the Arab palaces Washington should be worrying about.

By Reuel Marc Gerecht

It is hard not to admire Yasser Arafat. He is certainly the most successful terrorist of modern Middle Eastern history. Always entrepreneurial, he has repeatedly bounced back from oblivion by deftly merging headline-grabbing terrorism with the Arab world's unhappy and unrequited national and religious aspirations. His Palestine Liberation Organization has hijacked Western airliners and machine-gunned airports, slaughtered Israeli athletes at the Olympic Games, orchestrated the kidnapping and murder of U.S. diplomats, pillaged and terrorized a good slice of the Shiite population of Lebanon, and ruthlessly and pettily assassinated anti-Arafat Palestinian dissidents, yet the PLO chairman retains among many the image of a freedom fighter, the estimable "Old Man" of the Palestinian national movement. Geography, DNA, and Western angst also help. If Arafat had looked and spoken like Abdullah Öcalan, the leader of the terror-prone Kurdistan Workers party (the PKK), if the Palestinians had more resembled the Kurds (a humiliated, stateless people who have *only* Muslim enemies), and if America's and Europe's left-wing intellectual elite had not imbued "guerrilla" violence with so much moral aura and celebrity, Yasser Arafat would never have won a Nobel Peace Prize.

In the early 1990s, it was possible—just barely—to imagine Arafat in the process of a miraculous transformation, from consummate terrorist to authoritarian statesman. Read the joint memoir of President George H.W. Bush and his national security adviser, Brent Scowcroft, or the autobiography of Secretary of State James Baker and you get the distinct impression that Washington believed Arafat and the Palestinians were ready for peace, or at least more ready than the Israelis. "I am convinced that one day Yasser Arafat is going to stand up and sing 'Hatikva,' the Israeli national anthem, in perfect Hebrew," wrote the *New York Times*'s Thomas Friedman in 1989 in his captivating tour de force, *From Beirut to Jerusalem*. Foreign service officers in the State Department's Near East Bureau usually echoed Friedman through the Clinton years. Even hard-nosed Johns Hopkins professor Fouad Ajami, always perspicacious on the Arab world, thought there was a tiny chance that Arafat could escape from the "dream palace of the Arabs," where Israel's eventual destruction was an *idée fixe*.

Such hopes and visions are, of course, no longer sustainable. It beggars the imagination to believe that Vice President Cheney, Secretary of State Colin Powell, or the "temporary" Israeli-Palestinian conflict negotiator General Anthony Zinni has any illusions about Yasser Arafat's mendacity or his inability to let go of terrorism as a negotiating tool. There have just been too many acts of obvious encouragement and complicity between Arafat's Palestinian Authority, his Fatah organization, and the young men doing the sniping, machine-gunning, and suicide-bombing. The capture of the Palestinian Authority's *Karine A* freighter, filled with weaponry supplied by Iran, including C-4 *plastiques*, the suicide bomber's weapon of choice, left President Bush obviously, and probably permanently, contemptuous of Arafat. The chairman, of course, initially denied all knowledge of the vessel, suggesting that the Israelis were the damnable party for casting doubt on the Palestinian commitment to President Bush's war on terrorism. Even in the State Department, where one has always found a high concentration of apologists for Arafat and critics of any "conservative" Likud party prime minister in Israel, the *Karine A* and the constant suicide bombings have made Foggy Bottom more guarded in its public and private comments about the chairman.

Yet terrorism continues to work for Arafat, even with the first American administration that has largely defined itself by a war against Middle Eastern terrorism. The

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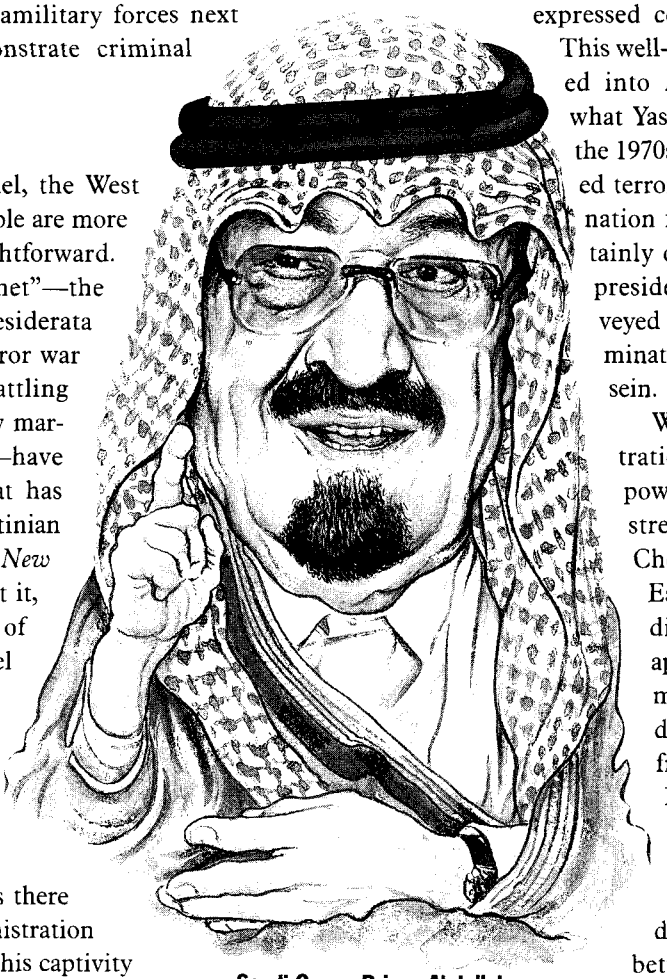
Bush administration will not irretrievably damn Arafat in public for his terrorist sins because Washington can't see an alternative to him or to the conflict-resolution approach followed by the Clinton administration. Like Jerusalem, Washington shrinks from girding its loins for the ugly military offensive required to stamp out terrorism in the West Bank and Gaza. The "peace process" is over, and some form of an Israeli occupation of these lands is inevitable, yet few foreign-policy professionals are prepared to admit that American and Israeli policy for years has been founded on an illusion. For a statesman to have seriously doubted Arafat's intentions and still allowed him to build well-armed paramilitary forces next door to Israel would demonstrate criminal incompetence.

On the streets of Israel, the West Bank, and Gaza, people are more honest and straightforward. "Oslo," "Mitchell," and "Tenet"—the terms for "peace-process" desiderata that make the Palestinian terror war against Israel sound like battling spouses hunting for some new marriage-counseling technique—have absolutely no meaning. What has meaning, at least on the Palestinian side, is the obvious. As the *New York Times* quite accurately put it, "after more than 17 months of conflict, the Palestinians feel they are winning." Even a blind Palestinian who can't watch Al Jazeera satellite television's inspiring "holy-war" coverage can tell that the more Palestinian suicide attacks against Israeli civilians there are, the more the Bush administration wants to see Arafat freed from his captivity to attend the Arab League summit in Beirut where he, so the administration's theory apparently goes, will help Saudi Prince Abdullah bring peace to the region. Abdullah, of course, supported Arafat's uncompromising position at Camp David in July 2000 and has given no indication whatsoever publicly—nor has any senior member of the ruling Saudi elite—that Arafat erred in his obstinacy in Maryland.



Saudi Crown Prince Abdullah

Illustration by Drew Friedman

America is now decidedly on the defensive. The Israeli-Palestinian confrontation dominated the Arab press reports on Cheney's travels. Iraq became a sideshow, the second point in the Arab leaders' public reproach of American foreign policy in the region. One Arab leader after another publicly censured the United States for its failure to engage more forcefully in the Israeli-Palestinian conflict, which of course means to put more pressure on Israel. In near perfect harmony, the Arab world's rulers blamed Israel for the Palestinian suicide bombers, who are universally referred to in the Arab press as *shuhada'*, martyrs who die in battle against infidels. Instead of forcefully turning the tables against America's critics, and asserting publicly in Arab lands the strong support for Israel that he expressed in Jerusalem, the vice president expressed concern about the conflict. This well-intended sympathy translated into Arabic, however, confirms what Yasser Arafat has known since the 1970s: Persistent and well-targeted terrorism can make even a great nation flinch. The Arab press certainly didn't suggest that the vice president had even *privately* conveyed America's implacable determination to destroy Saddam Hussein.

Whether the Bush administration really believes in the power of the mythical "Arab street" isn't important; Cheney's visit to the Middle East and General Zinni's diplomatic athletics make it appear that the United States must travel around the Middle East seeking "guidance" from Arab rulers because Palestinian *shuhada'* have now forced us to pay homage. In this light, the administration's rapid decision to offer a meeting between Arafat and Cheney if Arafat can make his flock behave for just a short period suggests that the "Arab street" truly spooked the vice president. This may not be at all the way the administration sees the offer, but the context in which the offer was made—Cheney surrounded by intense criticism—makes America seem panicked.

And this image of panic and confusion will probably grow much worse if Prince Abdullah goes to Texas to see President Bush and Arafat goes to

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Beirut to receive the adulation and support of the Arab League. It is impossible to imagine a productive contribution of the Arab League to the Israeli-Palestinian confrontation. It is easy, however, to imagine a scenario where America gets bushwhacked, where it must publicly reprimand the league's members for an assault on the geographic and ethnic integrity of Israel or acquiesce to the league's position that Israel can have peace so long as she agrees to terms far beyond the Camp David talks scuttled by Arafat in July 2000.

At Camp David, Yasser Arafat could not obtain from Israeli prime minister Ehud Barak what he wanted, which is, of course, what happens when two sides hold mutually exclusive positions. Preeminently, Arafat wanted a Palestinian "right of return" to Israel, which for Barak, or any other Israeli prime minister, and for President Clinton, was a demand that implied the elimination of the Jewish state. So, confronted with superior force, the Palestinian Authority quite naturally chose to unleash unconventional warfare against Israel to test its will. Arafat's gamble was eminently reasonable. His rule over the Palestinian Authority, like his rule over the PLO, has been dynamic: It depends on an illusion of progress to counter the all too apparent fact that the enterprise is hopelessly dysfunctional. Brutal, corrupt, and predatory, Arafat and his minions have to keep pressure on the Israelis or risk serious internal dissent, possibly violent internal strife. The positions of Egypt, Saudi Arabia, and Syria—the primary frontline states, which have certainly not gone out of their way to encourage or pressure Arafat and the Palestinians to make compromises with Israel—are similar, though less intense. All have pitilessly exploited the Palestinian issue as an escape valve for the emotions generated by their own oppressive societies. Hosni Mubarak's Egypt, in particular, has determined that a real peace process would diminish Egypt's position in the Arab world. Ever sensitive to his country's poverty and fallen cultural prestige, President Mubarak has for years allowed a torrent of anti-Israeli invective in the state-controlled press. As Fouad Ajami wrote in *The Dream Palace of the Arabs* (1998),

> No one who reads the Egyptian daily *al-Ahram* [the official paper of record] would think that Israel and Egypt were at peace. Its columnists and contributors wage a steady campaign against normalization. No discernible lines are drawn for them—Islamists, Arab nationalists, and military pundits alike. In a newspaper with strict limits on all other political and cultural discussions, writings on Israel are a free-for-all. Cumulatively, the writers of *al-Ahram* drive home a message that harks back to the time before the peace. They conjure up the specter of Israel as an enforcer of Pax Americana, a power bent on diminishing the role and place of Egypt, severing Egypt from its natural hinterland in the Fertile Crescent and the Persian Gulf.

What the Bush administration is likely to get from the Arab League, which remains preponderantly a creature of Egypt (though the Saudis occasionally give the Egyptians a run for their money), is a nasty slap in the face. If the Arab League doesn't devolve into a fratricidal spitting contest, which regularly happens among the league's 22 members, and manages to put forth a "peace initiative" based on Prince Abdullah's suggestion, Washington could confront a real diplomatic mess. Though Arab coalitions are vastly overrated—either for or against you—the Bush administration, which seems to care about these things, will finally have helped build a broad-based Muslim coalition, against it. Its newfound enthusiasm for engagement in the Israeli-Palestinian confrontation will have produced the exact opposite of what it intended.

Alternatively, the administration could accept, in part or whole, the league's recommendations, which will pick up where Ehud Barak and President Clinton said "no." Any administration pressure on Israel would, of course, further undermine America's position in the Middle East, since the members of the Arab League would correctly conclude that they—and the Palestinian suicide bombers behind them—had strong-armed America to do for the Palestinians what bilateral negotiations between Israelis and Palestinians had not.

In any case, Yasser Arafat, if he is allowed to go to the summit, will come back recharged and triumphant. We should expect to see Palestinian attacks—particularly suicide bombings—continue, if not significantly increase. The Bush administration will have repeated the cardinal error of the British when they believed that by regionalizing the Israeli-Palestinian conflict before and after World War II—by allowing, if not encouraging, other Arabs to give "counsel and guidance"—they could perhaps find a settlement. Just the opposite happened. And now the administration that has done so much to reverse the image of American weakness in the Muslim Middle East—weakness that is the jet fuel behind the appeal of bin Ladenism in the Arab world—may well deal, quite unintentionally, a severe blow to America's *hayba*, the majesty and magnetism that inhere in unchallengeable power. Without this mystique, there is no guarantee of peace and security for us and our friends in the region.

If this happens in the next few months, it will be a very good idea for Bush and company to march to Baghdad as quickly as possible. They'll need to do something stunning to reverse America's fortunes and keep the suicide bombers from *our* gates. ♦

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Nevada Goes Nuclear

But what better place to store radioactive waste than the middle of nowhere?

By Stephen F. Hayes

Amargosa Valley, Nevada

Standing behind the counter at Nevada Joe's, a gas station and saloon along Highway 95 northwest of Las Vegas, Adrian Goodman explains his decision to move from Los Angeles to the middle of nowhere.

"I basically wanted to get as far away as possible from people," he says. "I moved to Amargosa Valley after I was car-jacked for the third time in L.A. I already had my car stolen several times and I really just wanted to get out of there."

If isolation is his goal, Nye County, Nevada, is the place to be. Though it's the third largest county in the United States, covering more land than any of our nine smallest states, only 32,000 people (about 1.8 per square mile) call it home.

The gas station and the Cherry Patch II, a brothel attached to the back of it, are about a two hour drive from Vegas. Drive straight from the city and you'll pass an Indian reservation, a prison, a gas station, and an Air Force base. That's it. The rest is desert, brush, and the dry Nevada breeze.

For that reason and many others, the Bush administration, backed by 20 years and nearly $8 billion in studies, has decided that Nye County's Yucca Mountain would make the best home for the radioactive waste from the nation's commercial and military nuclear sources. And although editorial pages, public officials, and knowledgeable scientists throughout the country support that decision, Nevada politicians are resisting it, claiming it would drive away tourists and imperil their constituents.

"We will fight this dangerous plan in every conceivable way," says Las Vegas mayor Oscar Goodman. "We will fight it on Capitol Hill. We will fight it in the heartland. We will fight it in the court of public opinion. We will fight it before the nation's courts."

Nevada officials have hired a former Senate parliamentarian to devise procedural objections to the plan when that chamber considers it later this spring. They have enlisted the help of top lobbyists from both parties—former White House chiefs of staff John Podesta (Clinton) and Ken Duberstein (Reagan). They have filed dozens of lawsuits. And Goodman vows he will "personally arrest" anyone who brings the waste near Las Vegas.

Their opposition is understandable, but they largely dodge an obvious and important point about nuclear energy, which now accounts for a fifth of the country's energy consumption: The waste must go somewhere. It is currently stored at 131 sites in 39 states across the nation. The status quo is unacceptable—and maybe dangerous.

The terrorist attacks last fall have made everyone acutely aware of our vulnerability to additional strikes. Although the doomsday scenarios painted by anti-nuke activists are exaggerated, common sense tells us that we're better off with highly radioactive waste stored 1,000 feet underground at one heavily-protected remote location—the middle of a barren Nevada desert, for instance—than we are with that same waste in dozens of above-ground pools.

Opponents of moving the waste to Yucca Mountain offer a traditional NIMBY—not-in-my-back-yard—argument. A recent poll of Las Vegas residents found that 83 percent opposed bringing the waste to Yucca Mountain. But Vegas is 100 miles away. Those who live closest to the site, and thus stand to be more directly affected by it, are more ambivalent.

"From a business aspect, I don't mind," says Nevada Joe's Adrian Goodman, who thinks the increased traffic will mean higher sales. "For families and kids, I'm just not sure. I mean, we want the business, but what if something goes wrong?"

Stephen F. Hayes is staff writer at The Weekly Standard.

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When Energy Secretary Spencer Abraham formally recommended the Yucca Mountain site to President Bush on February 14, it was the culmination of a debate that spans decades. On December 14, 1974, Nye County's largest circulation newspaper, the *Pahrump Valley Times*, wrote an editorial under the headline "Let's Be Nuclear Waste Storage Site." After "extensive examination of various factors" involved in burying the waste nearby, the local paper maintained that "Southern Nevada is the logical choice for the waste disposal. . . . In reality, this nation may only now be on the threshold of the real nuclear era. Nevada should be at the center of it."

In 1982, Congress passed the Nuclear Waste Policy Act, which called on the Department of Energy to study nine possible sites for permanent disposal of the nation's accumulating nuclear waste. By 1986, that list had been narrowed to three: Washington, Texas, and Nevada's Yucca Mountain. While the Nevada site was long thought the most scientifically suitable site for the repository, Washington and Texas were in the running until House Democrats knocked them out. It was no coincidence that legislation in 1987 amending the original bill was pushed hard by Speaker of the House Jim Wright, a Texan, and Majority Leader Tom Foley of Washington.

Opponents of the Yucca Mountain project call the 1987 legislation the "Screw Nevada Bill," and view it with considerable scorn. But others living and working in the area eagerly await the day the bill lives up to that crass designation.

The red light above the door of the double-wide trailer attached to the back of Nevada Joe's is the first indication that this is not a typical "service station." The sign above the door—"Madame Butterfly's"—is the second, and the placard on the door is the third: "Public Health Notice: Law requires every brothel prostitute to be tested regularly. Customers must use a latex condom during all sexual activities. This does not guarantee freedom from sexually transmitted diseases."

A middle-aged woman answers the buzzer, and pokes her head out from around the door of the Cherry Patch II. With a coquettish flip of her hair, she asks, "How can I help you?" After I explain that my interest in talking with her is strictly professional—my profession, that is—she smiles and nods as if she's heard this all before, then buzzes me in. Only when she sees my notebook does she realize that I am serious about just talking.

The Cherry Patch II and its sister brothels, the original Cherry Patch Ranch and Mabel's Whorehouse, are among the handful of businesses closest to Yucca Mountain. Given this proximity, one might expect some resistance to the project from those who work there. Not so.

Crystal Mills, the "hostess" at the Cherry Patch II, gladly fleshes out her support of the Yucca Mountain site. "Bring it on," she says. "I'm all for it." Mills says she worked with nuclear materials for seven years in Arizona and is familiar with the stringent safety requirements for handling hazardous materials. Her husband works at the site, so not surprisingly she sees the project—expected to bring with it an additional 8,000 to 10,000 jobs—as an economic boon to this relatively poor area. "It'll create jobs and bring more people to the valley," explains Mills. And, jerking a thumb toward the dilapidated love shack behind her, she adds, "It's not going to hurt business here either."

Much of the debate over the Yucca Mountain site turns on what both sides refer to as "the science"—which is to say, the suitability of the site. Having completed, barely, my last science class some 15 years ago, I decide there's no substitute for personal inspection.

A tour is scheduled for 8 A.M., and I wake up late, at 6:30, in my Vegas hotel. This turns out not to be a problem. With the engine of my rented Nissan Altima revving like a weedeater, there's nothing to slow down for after leaving the city, just mile after mile of landscape that resembles the now-familiar footage of Afghanistan—except the hills of Tora Bora look lush compared with the arid nothingness of Amargosa Valley.

The federal government owns 87 percent of the land in Nevada, and much of this part of the state is used by the Department of Energy. You can see Mt. Whitney, the highest point in the lower 48 states, from the top of Yucca Mountain. Only 30 miles or so to the west is Death Valley, the lowest point, where average high temperatures in the summer can reach 115 degrees. To the north lies the Department of Energy's nuclear test site. The federal government has tested more than 800 nuclear weapons here, so it's not as if the state doesn't already play host to plenty of radioactive material. Lots of the mushroom-cloud images that accompanied news footage of the arms race in the 1980s were filmed at the DOE test site.

The land here is dotted with puke-green brush that I later learn is called creosote, and the tumbleweed I had always believed to be a Hollywood invention. I spent most of my driving time pondering the bizarre disparity between the abundance of highway litter and the scarcity of humans. It was early.

I reach the heavily guarded entrance to the Yucca Mountain facility with 15 minutes to spare. The bus trip to Yucca Mountain from the front gate of the government test site takes another 45 minutes. Upon arriving at the mountain, I'm handed a hard hat, protective goggles, a belt with a flashlight and breathing device, and earplugs. With a handful of other journalists and public officials, I climb aboard a rickety, topless train that looks like a roller coaster, but pushes us at just 8 mph through a hole with a

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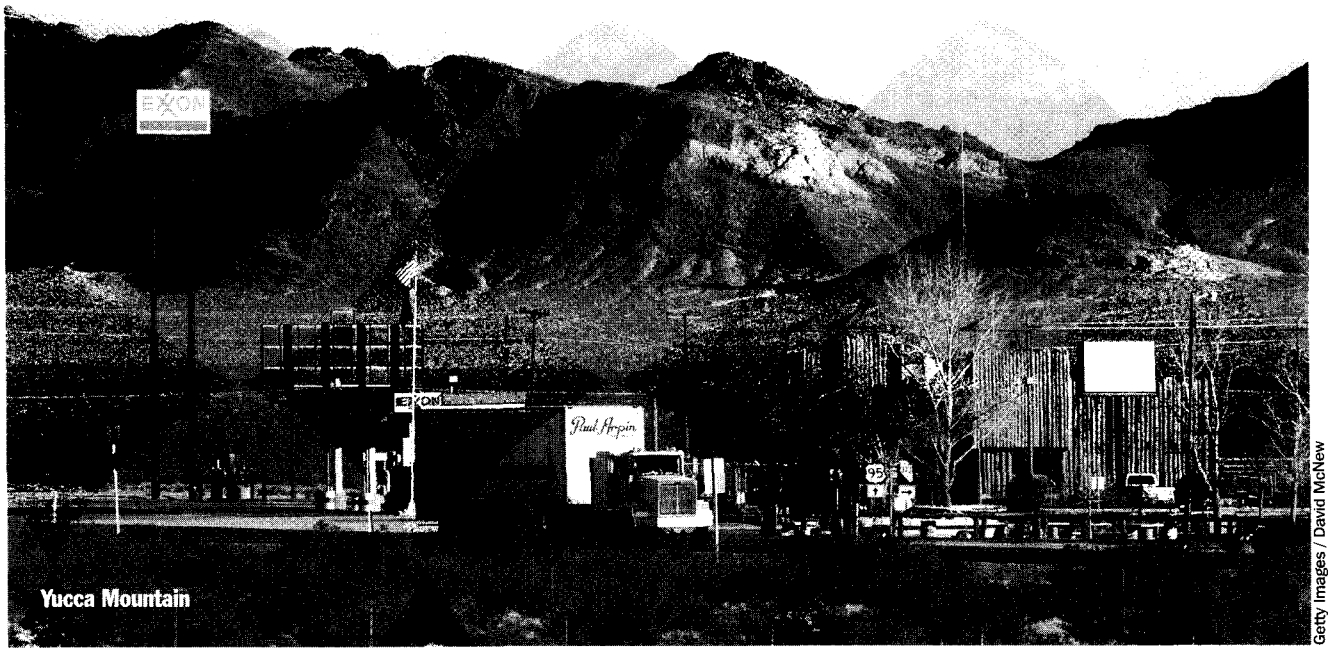

Yucca Mountain

Getty Images / David McNew

diameter of about 25 feet. The tunnel carved into Yucca Mountain is a horseshoe-shaped excavation about five miles long. We climb off the train two miles into the mountain at another tunnel branching off to the right of the main one.

Patrick Rowe, a senior Yucca Mountain engineer, calls this area "Alcove One." He points to some white spots at the top of the tunnel and explains that "the welded and non-welded volcanic tuff," together with "zeolites," would "block or delay the movement of radionuclides" to the "water table." He glances my way, and I nod earnestly, as if to say, "Of course; everyone knows that."

It is crucial that the site have the greatest possible combination of geological and man-made barriers between the waste and water. One of the main concerns about burying nuclear waste is the potential for the waste to contaminate underground water systems that supply cities and towns in the area. Yucca Mountain, happily, is dry, receiving an average of only 7.5 inches of rain per year, most of which evaporates.

In an interview a few days after the tour, Energy Secretary Spencer Abraham clarified the research taking place at Alcove One. "We studied what would happen if, at some point in the 10,000-year period [when the waste is dangerous], we had another Ice Age," he explained. "When the Ice Age ended and the glaciers melted, how far through the rock would the water penetrate?"

To do that, the Yucca engineers drilled about 60 feet above the top of the tunnel, and turned on a sprinkler for almost two months. The water penetration was negligible. To do any harm, water would have to seep not 60 feet, but 1,000. Then it would have to get through multi-layered man-made casks—which, needless to say, are built to be impermeable. Finally, the water, supposing it succeeded in entering one of the casks, becoming contaminated, and seeping out again, would have to travel another 800 feet through solid rock before it reached the aquifer below.

And all of that assumes the onset of another Ice Age. I'm no scientist, but it seems to me that people living in the Nevada desert during an Ice Age might have bigger things to worry about than the unlikely release of radioactivity half a mile below the surface of the earth.

After the tour, I return to Nevada Joe's, which bills itself as "The Gateway to Death Valley." Adrian Goodman is there with an older man. Again, I'm the only customer. In most respects, it's like any other service station, though a bit heavier on the latest alien-fashion paraphernalia.

As I work my way past the Martian T-shirts and "Area 51" mesh baseball caps, a simple inquiry about the history of the local alien obsession leads to a lengthy story from the old man. He explains that his father, while cutting hair in nearby Death Valley, once saw the U.S. military bring a spaceship to the desert and was told he'd be killed if he ever told anyone what he'd seen.

After a harmless and quite natural follow-up—"Have you seen any aliens?"—he gets frosty. "You're not a reporter, are you?" he asks. When I confirm his suspicions, he crosses his two index fingers and holds them in front of my face, effectively ending the conversation.

Ed Goedhart, who runs the Ponderosa Dairy Farm 12 miles off of Highway 95, is happier to see a reporter. Goedhart employs more than 100 people at that location, and,

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he says, more than 500 in the area. His cows, he estimates, supply 25 percent of Nevada's milk.

Goedhart is steamed by what he sees as government indifference to the plight of the few people who live closest to the mountain. Standing alongside his huge white Chevy Tahoe on a scorching early-spring afternoon, he ticks off his problems with the project. The science is incomplete. The risk-assessment is optimistic. The government doesn't have a good track record of being honest about exposing citizens to risk.

But he is most frustrated that he has not been contacted by anyone from the federal government about the fate of his farm, should the waste be shipped to Yucca Mountain. "I've never had a phone call," he says. "I've never had a visit. I've never had a written statement." The Department of Energy has held 57 public hearings over the years, several of which Goedhart says he attended. A spokesman for the department says that although they did their best to publicize the hearings, few local residents attended.

That doesn't surprise Goedhart, who concedes that among those living in the area around Yucca Mountain, he is in the minority. "I'd say 70 percent of the people in the valley don't care one way or the other," he says. "Twenty percent are for it, and the other 10 percent are against it."

The best little radioactive whorehouse in Nevada?

Outside of Las Vegas, the strongest voices in opposition to the Yucca Mountain project are in Washington. Nevada, with its four electoral votes and a population of roughly two million, is rarely considered a political power. But when Democrats took over the Senate last June, the state's senior senator, Harry Reid, became the second-ranking member of the majority. Not coincidentally, within a week, Senate Majority Leader Tom Daschle appeared at a Las Vegas fund-raiser and declared the Yucca Mountain site "dead."

But last week, Daschle took a step back from those remarks. "I was not aware that this legislation, when we drafted it decades ago, is under an expedited procedure" (which means Daschle can't kill it singlehanded). Some administration officials believe it's no coincidence that Daschle's reversal came within days of a dinner he had with Reid and presidential counselor Karl Rove. Is there a deal in the works? "Harry Reid didn't get to be the No. 2 Democrat by accident," a Bush administration official tells me.

John Ensign, the state's Republican senator, who has lately been holding hands with Reid on the issue, jumped on Daschle. "Tom Daschle made a very clear statement that Yucca is dead as long as he's the majority leader. If Tom Daschle keeps his word, the state of Nevada will not have nuclear waste." A spokesman for Reid told the *Las Vegas Sun* that Nevada was relying on Ensign to bring 15 Republicans to the anti-Yucca side.

That won't be easy. After Energy Secretary Abraham formally recommended the site to the president last month, Bush quickly signaled his support, sending the issue to the Nuclear Regulatory Commission, an independent body charged with making sure the site meets its safety criteria. Before the NRC can conduct the final evaluation of the site, Nevada governor Kenny Guinn, a Republican and a strong Bush supporter in 2000, can veto the project. But Congress can override Guinn's veto with majorities in the House and Senate, votes anticipated no later than this summer.

The House is expected to pass the measure without much difficulty. But the Senate will be tougher. Yucca Mountain proponents point hopefully to several votes over the past four years that would have permitted temporary storage of nuclear waste at Yucca Mountain. Twice, pro-Yucca forces came within three votes of passing bills with a two-thirds majority, enough to override a threatened

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veto from President Clinton. Now they need only a simple majority.

That lower threshold and the higher stakes now that national security is understood to be at risk from the current temporary storage system mean that the public relations battle coming over the next several months will be intense.

"What a Valentine's Day gift," said Las Vegas mayor Goodman, when Abraham gave the site his official blessing on February 14. "Cupid shot nuclear-tipped arrows at the 43 states along the proposed transportation routes. What an expression of love for the country."

Mark Brown, a Las Vegas public relations guru, is in charge of the effort to make the concerns of Nevadans the concerns of America. "We've been retained by [Nevada] to go into other states and let people know that should Yucca Mountain [start receiving waste], they can expect 3,000 to 4,000 shipments of nuclear waste [each year] in their state," he says. "They have no idea, and when they find out, they're horrified."

Brown starts with a war chest of $7 million from a fund set up by the state to fight the Yucca Mountain project. He plans to wage a traditional political campaign—making news whenever he can, and buying ads when he can't. "We're confident that we'll have the budget to do the job right," he says. "And we know that significant private contributions are coming."

Brown says the campaign will focus on the transportation of the waste. The shipping technology, he says, is still in development, and there has been no discussion of safety along the proposed route. "We're not trying to scare people, but these shipments are vulnerable to terrorists and, potentially, spills. This waste isn't liquid and it's not going to get into the water, but a spill would have serious health effects," he argues. "These are 3,000 to 4,000 terrorist targets, and I don't mean that as a scare tactic."

The Yucca engineers are all over those arguments. The delivery casks are virtually indestructible, they say. One video I saw showed a battery of tests carried out at the Sandia National Laboratories. The tests included smashing an 18-wheeler carrying a cask into a 700-ton brick wall at a speed of 81 mph; dropping a cask from 2,000 feet on hard ground; and, ramming a cask with a 120-ton locomotive train traveling 80 mph. In each case, the scientists at Sandia determined that the casks would not have leaked any radioactive material.

"The nuclear industry has already transported waste more than 1.7 million miles and never breached a cask," says one senior Yucca Mountain scientist. "How's that for a safety record?"

The Nuclear Regulatory Commission conducts similarly rigorous tests on the casks, and if Congress approves the site, those tests will continue. The NRC will test not only the safety of the casks, but the thousands of other components of the project.

"Our position is that there is enough research to meet the standards set by the EPA and the NRC," says Abraham. "Now, we want the neutral NRC to decide. The people who oppose [Yucca Mountain] don't even want that. If Congress votes 'no,' they're saying they can make the determination, with whatever their expertise is, rather than letting the NRC make the decision."

Not only that, a no vote would effectively spell the end of the nuclear power industry. Many plants limit the amount of waste they can store on-site before production must stop. Unless the Yucca Mountain facility opens, those days are drawing near. "If we're not going forward, then everything is over," says John Kane, senior vice president at the Nuclear Energy Institute. "If the vote is 'no,' the people at DOE will put down their pencils and walk away."

That's not the outcome that Joe Richards wants. Richards owns the Cherry Patch II, the original Cherry Patch Ranch, and Mabel's Whorehouse. He's gung-ho for the Yucca Mountain project. "I hope they send it to us," he says of the waste. He, too, thinks most valley residents support the project, and he invites me to Crystal to meet some more of them and visit his prostitution museum.

The drive takes about 20 minutes, and I pass the time by listening to the only station that comes in on the FM dial, an oldies station out of Pahrump, the closest thing to a town within 45 miles of Yucca Mountain. "Putting more in the air than Area 51, this is KNYE."

As I turn from the main highway onto the two-lane road that will take me to Crystal, the radio blares the opening notes of Marvin Gaye's "Let's Get it On." The next song is Roy Orbison's "Pretty Woman," and I almost hit two donkeys that have wandered onto the pavement.

By the time I get to Crystal, I'm on dirt road. The town begins with the original Cherry Patch Ranch, and ends maybe 300 yards later with Mabel's Whorehouse. Each business consists of a main building and an assortment of trailers out back. The space between the two establishments is also dominated by trailers, though these appear to be homes. The museum consists almost entirely of laminated news clippings featuring Joe Richards himself.

I enter the saloon to the left of the door to Mabel's and ask the bartender about some interviews. He returns to tell me that because Joe didn't leave word that the girls could talk, they won't. How about him? Do the people he talks to favor bringing waste to Yucca Mountain? "Don't no one really care," he says. ♦

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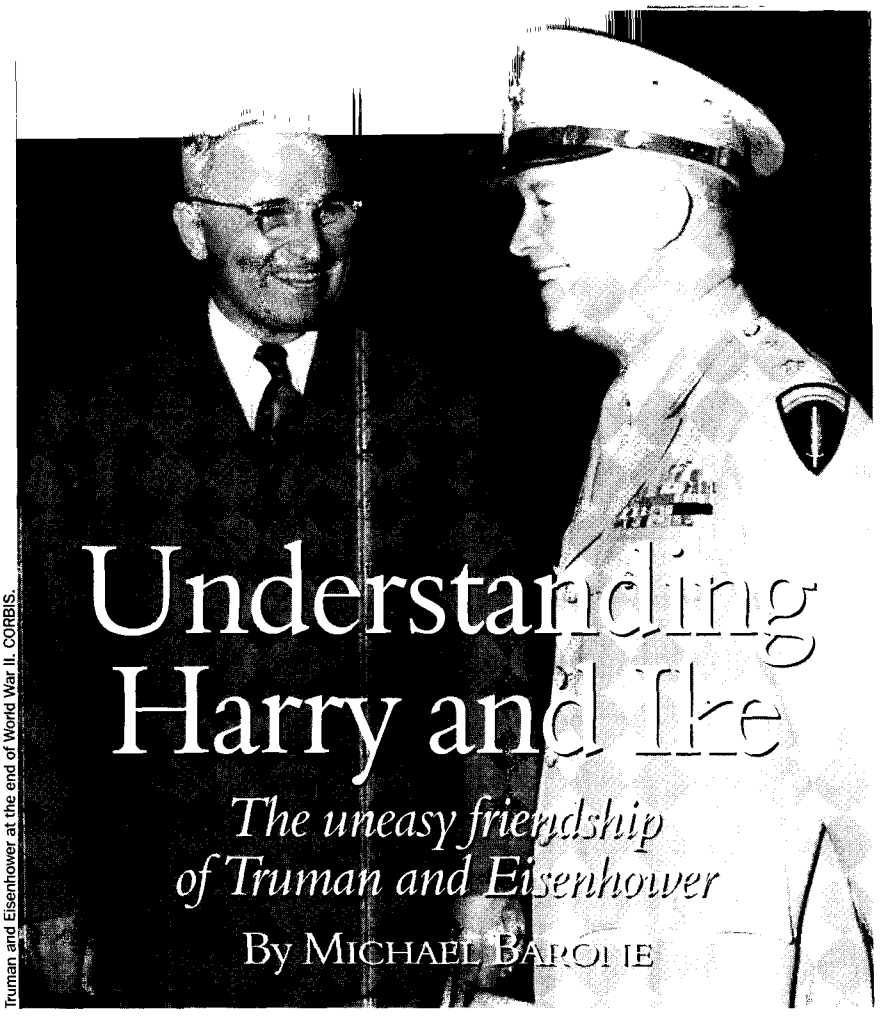

Truman and Eisenhower at the end of World War II. CORBIS.

Understanding Harry and Ike

The uneasy friendship of Truman and Eisenhower

By Michael Barone

Harry & Ike, Steve Neal's book on the relations between Harry Truman and Dwight Eisenhower, might well have had a second subtitle—*Great Presidents Behaving Badly*. It tells two stories. The first is the collaboration of two able and dedicated public officials in launching the United States on its victorious course in the Cold War, and without whom that struggle might have taken quite a different course. The other is the hatred—not too strong a word—that these collaborators came to have for each other for nearly a decade.

Astonishingly, given the millions of words written about Truman and Eisenhower (as well as the many thousands written by them), the story of their relationship has never been told fully before. To this task, Steve Neal brings the credentials of a scholar and a willingness to burrow through archives and find letters and documents previously ignored—as he did in *Dark Horse*, his definitive biography of Wendell Willkie—and the skills of a journalist, which he has exercised as a national political reporter and as a columnist for the *Chicago Sun-Times*. He is one of the few writers today who combine a feel for the broad sweep of history with a sure grasp of the arcana of local politics. *Harry & Ike* is good and original scholarship; it is also a darned good read.

Harry & Ike
The Partnership that Remade the Postwar World
by Steve Neal
Scribner, 324 pp., $26

Truman and Eisenhower had much in common. They were only six years apart in age and grew up in small towns in the farm country of the very center of America—Independence, Missouri, and Abilene, Kansas, just 150 miles apart. Their families respected learning and education, but they lived in humble economic circumstances—especially grating for Truman, one of whose grandfathers was an affluent landowner. Their lives intersected early: In 1905 Truman lived in a rooming house on Troost Street in Kansas City with Eisenhower's brother Arthur. But they came from different traditions. Truman was southern stock—his grandmother to her death rooted for the Confederacy—and was always a Missouri Democrat; Eisenhower's ancestors were Pennsylvania Dutch farmers, and his family Kansas Republicans.

Like other impecunious American boys with a love of history and a yearning for glory, both Truman and Eisenhower aimed at military careers. Truman, rejected for the service academies because of bad eyesight, joined the National Guard in 1905, at 21. Because of his family's straitened economic circumstances, he had to work on the family farm and did not have the money to marry his childhood sweetheart, Bess Wallace. Eisenhower got an appointment to West Point (his second choice, after Annapolis). On his first assignment, to Fort Sam Houston in San Antonio, he met Mamie Doud, whose father allowed him to marry her only after Eisenhower gave up his chance at flight training; the great army leader's first ambitions were to be a sailor and a pilot. Eisenhower, the professional soldier, did not serve in combat during World War I, much to his frustration. Truman, called to active duty, served ably as an artillery captain under fire in France; only after this experience did Bess's family consider him suitable for marriage. Post-World War I America had its disappointments for both: Truman's haberdashery business failed in 1921; Eisenhower got few promotions in the peacetime Army.

In rising from obscurity, both men had critical help from important patrons. Truman's was Thomas J. Pendergast, cement contractor and Democratic boss of Jackson County, which included booming Kansas City as well as Independence. Pendergast got Truman nominated for judge and presiding judge of the Jackson County Court in 1922 and 1926. He was crucial in getting Truman the nomination for U.S.

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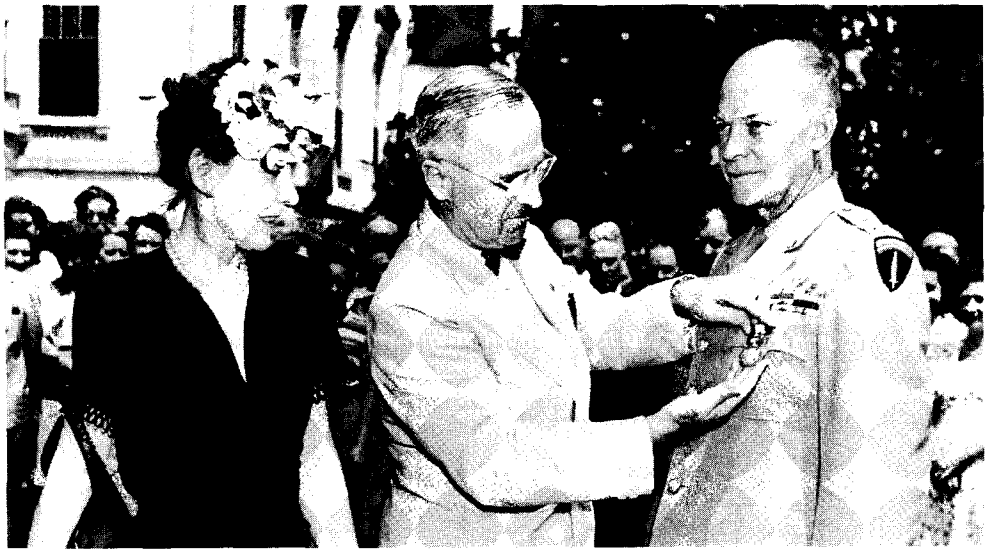
Senate in 1934; after the boss's downfall in scandal, Truman was opposed in the 1940 primary by the sitting governor, and won by only 7,976 votes.

Eisenhower's patron was General Fox Conner, his commander in the Canal Zone in 1922, who was convinced a second world war was inevitable and insisted Eisenhower read widely in military history and strategy. Conner got him into command school at Fort Leavenworth, where he finished first, as he did later at the Army War College. In the process he impressed General John Pershing and served six years in Washington, where, Neal writes, "he would become a keen student of politics." He also gained a high rank in General George Marshall's little black book.

Throughout their public careers, both Truman and Eisenhower were regarded as ordinary middle-class Americans, regular guys with no dazzling intellectual powers or sophisticated experience. But in fact they were both highly intelligent and as adults read widely even as they gained experience in military and political life. Still, before the outbreak of World War II, they were little known. Truman was about as obscure as a senator could be, and Eisenhower was a lieutenant colonel with little prospect for promotion. No one suspected that they would be the presidents leading America through the sixteen years after the war.

Both were put on the path to the presidency by Franklin D. Roosevelt. In December 1943 FDR named Eisenhower the commander of the cross-Channel invasion, and in July 1944 he (in typically devious fashion) made Truman the Democratic nominee for vice president—in effect, the next president. Truman was still little known, however, when he became president in April 1945; Eisenhower was a popular hero. At the Potsdam conference in July 1945, Truman fawned over Eisenhower. "General, there is nothing that you may want that I won't try to help you get," Eisenhower recalled him saying there (Truman later denied it, unconvincingly). "That definitely and specifically includes the presidency in 1948." Truman said this even though Eisenhower disagreed with him on major policy decisions—he opposed asking the Soviets to enter the war against Japan and, alone among major military leaders, opposed using the atomic bomb.



Truman presents the Distinguished Service Medal to Eisenhower, June 21, 1945.

From their first meeting we see the contrast in their character. Truman, the professional politician, was disarmingly frank and astonishingly open, making no attempt to conceal his admiration and awe for the world-famous general. Eisenhower, the professional soldier, was tight-lipped and circumspect, concealing any ambition he may have had and keeping his options open. You can see the same contrast in their card-playing habits. Truman's game was poker, at which he seemed to be a good but not great player; he played not to win money, but to enjoy the conviviality of a night out. Eisenhower's game, as Murry Kempton noted in a brilliant article in 1967, was bridge, which in the years before World War II he played well enough to provide a substantial supplement to his military salary.

The same contrast was apparent in how they handled their memoirs. Truman helped Eisenhower accumulate a small fortune by making sure the IRS ruled that Eisenhower's sale of his book *Crusade in Europe* would be classified as a capital gain, not ordinary income. This enabled him to earn $476,000 after taxes, $300,000 more than he would have if the payment were classed as ordinary income. But Truman acquiesced in the 1950 repeal of the tax provision used by Eisenhower and earned only $37,000 on his memoirs.

Through most of Truman's presidency the two worked closely together and agreed on major issues. As Army chief of staff, Eisenhower supported Truman on unification of the military services and on the commitment of American power to stop communism in Europe and elsewhere. Truman continued to press his 1945 offer to make Eisenhower president. As late as the fall of 1947, Truman asked Army Secretary Kenneth Royall to offer Eisenhower the 1948 Democratic nomination for president and, astonishingly, offered to be his vice presidential candidate. Only after Eisenhower declined did Truman decide to run for a full term himself. Eisenhower loyally maintained his refusal to run. In January 1948 he demanded that his name be removed from the New Hampshire primary ballot, and in July 1948 he squelched a Draft Eisenhower movement led by three of FDR's sons to nominate him at the Democratic National Convention.

But Eisenhower was not entirely open with Truman. In 1947 and 1948 he asked a number of people whether anyone could be nominated by both parties. Despite his warm letters praising Truman's policies, he voted for Thomas Dewey in 1948. In light of his later actions, the reasons for Eisenhower's

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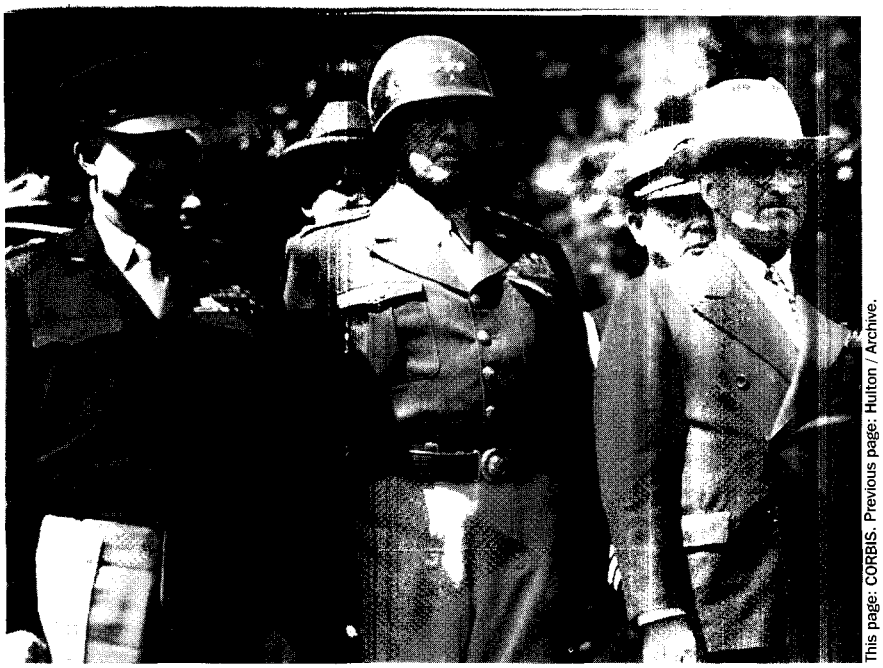
course are fairly clear. On domestic issues he supported the Republican party; he did not want to be elected as a Democrat. He did believe in Truman's commitment of American power to the defense of Western Europe. But Dewey agreed with that policy, and Eisenhower could be confident it would be continued, as a bipartisan foreign policy, if Dewey were elected.

Truman and Eisenhower continued to collaborate after the 1948 election. (And they probably would have even if Truman had known that Eisenhower had voted for Dewey; Truman was happy to work with George Marshall, who let it be known that he never voted for anybody but who told Truman that if he recognized Israel he would vote for his opponent.) Eisenhower was willing to take a leave from the presidency of Columbia University in the first half of 1949 to work in Washington for unification of the armed forces, though that year he turned down the chairmanship of the Joint Chiefs of Staff and Dewey's offer of appointment to a vacant U.S. Senate seat (John Foster Dulles got the seat instead; Truman offered Eisenhower the Democratic nomination to run against him in 1950). And in December 1950, Truman appointed Eisenhower to serve as supreme commander of the newly formed NATO in Paris.

Despite his oft-voiced opinion that military officers should not become involved in politics, at some point during his service as NATO commander Eisenhower set out to be elected as president in 1952. In this he surely had high motives. But his acts were Machiavellian: He violated the rules of personal morality for what he regarded, reasonably, as the good of the state. Eisenhower had supported Truman's decision to oppose Communist aggression in Korea in June 1950 and his highly unpopular decision to fire General Douglas MacArthur in April 1951. (Eisenhower had worked as a speechwriter for the grandiloquent MacArthur in the Philippines in the 1930s, and had a low opinion of his former boss.) But as Truman's job approval rating plunged to 25 percent and stayed there, it became clear that he could obtain neither victory nor a truce in Korea. Conservative



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Eisenhower and Truman flank Patton at a ceremony in Germany in 1945.

Republicans like Robert Taft assailed Truman for losing China and for not seeking victory in Korea; Joseph McCarthy attacked him (inaccurately) for tolerating Communists in high office. Taft, who had voted against the NATO treaty and opposed stationing U.S. forces in Europe, seemed likely to be the next Republican nominee for president, and the Republicans, after 20 years out of office and running against the record of an unpopular president, seemed to have a good chance to win. A President Taft would likely dissolve NATO, which Eisenhower, like Truman, believed was essential to the preservation of Western civilization. This was something Eisenhower thought he had a responsibility to prevent.

He proceeded, very much less than straightforwardly, to do so. Truman sent an emissary to Paris in June 1951 to sound out Eisenhower on the possibility of running for president as a Democrat in 1952. The general seemed noncommittal. But in October 1951, he wrote Republican senator James Duff a letter admitting he was a Republican and saying that any American would have to regard a presidential nomination "as constituting a duty to his country which would transcend any other duty." He added, in parentheses, "In this particular case it would compel immediate resignation from the Army." This was the surreptitious opening of a campaign. Duff, a former governor of Pennsylvania, was close to Dewey, who had publicly endorsed Eisenhower back in 1949. Just 11 days after Eisenhower sent his letter, the *New York Herald Tribune*, the house organ of Dewey Republicanism, endorsed Eisenhower in a front-page editorial.

Why did Eisenhower decide to run as a Republican, when he probably could have had the Democratic nomination for the asking? One reason is that he was a Republican by conviction on most issues; second, he was repelled by the corruption in the Democratic party; finally, he may have calculated that a Democratic nomination would not guarantee victory, given Truman's low popularity.

In a November 1951 White House meeting, Truman again offered to support Eisenhower for the Democratic nomination, according to Supreme Court Justice William O. Douglas, who spoke with Truman later that day. (Truman and Eisenhower both denied this at the time.) A month later Truman wrote Eisenhower and asked his plans for 1952. "Do what you think best for the country," he wrote. "If you decide to finish the European job (and I don't know who else can) I must keep the isolationists out of the White House." This was almost plaintive—another offer of the Democratic nomination and a statement that if it was refused Truman would run himself, which is what Truman set out to do. Eisenhower wrote back, "The possibility that I will ever be drawn into political activity is so remote as to be negligible. This policy of com-

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Arthur Rothstein / CORBIS

Truman and Eisenhower at John F. Kennedy's funeral in 1963.

plete abstention will be meticulously observed by me." This was misleading and duplicitous—from a man who had already set in motion a campaign.

The campaign officially began in January 1952, when Senator Henry Cabot Lodge announced that he would enter Eisenhower's name in the New Hampshire primary, and Eisenhower issued a statement saying that he would not leave the NATO assignment, but that citizens had a right "to place before me next July a duty that would transcend my present responsibility." In other words, he was running, from a military command in Europe. In March Eisenhower won the New Hampshire primary, while on the Democratic side Truman, who was privately determined to run, was beaten by Senator Estes Kefauver of Tennessee. Later that month Eisenhower wrote Truman asking to be relieved as NATO commander "on or about June 1st of this year," and days later Truman announced he wouldn't run for another term. When Eisenhower returned June 1 and reported to the commander in chief, Truman invited him to the family quarters of the White House and praised him glowingly; later he quietly ordered that Eisenhower's rank and salary be restored if he were not elected in November.

But Truman's friendliness toward Eisenhower turned to antagonism by the end of August. This was probably inevitable in an electoral democracy. Truman was an unpopular president; Eisenhower, as the candidate of the out party, was bound to criticize his administration, and Adlai Stevenson, the candidate of the in party, to Truman's dismay sought to distance himself from the administration too. In August Eisenhower irritated the president by refusing a White House briefing from foreign policy officials and the CIA. He sent Eisenhower a hurt note, which infuriated Eisenhower. Truman was appalled that Eisenhower made appearances with Senators William Jenner and Joseph McCarthy—who had harshly criticized General George Marshall—and omitted from his speech in Wisconsin lines praising Marshall. For this Truman harshly attacked him on the campaign trail. Truman had always prized loyalty; as vice president he had attended Boss Pendergast's funeral. He felt Eisenhower was showing political cowardice and disloyalty: "A man who betrays his friends in such a fashion is not to be trusted with the great office of president of the United States." Eisenhower thought like Machiavelli's prince: Personal disloyalty was justified to save the republic.

But the biggest issue to the voters was Korea. Eisenhower attacked Secretary of State Dean Acheson for his January 1950 speech excluding Korea from the American "defensive perimeter" in East Asia. Truman responded by hitting Eisenhower for "attacking our efforts in Korea." Eisenhower responded with a speech in which he promised, "I shall go to Korea." Truman derided the pledge as a "desperate attempt to get votes." After Eisenhower won with a large electoral vote majority, Truman wired him, "Congratulations on your overwhelming victory. The *Independence* will be at your disposal if you still desire to go to Korea." Eisenhower was furious. When Eisenhower did go to Korea in December, Truman called his trip "a piece of demagoguery." Eisenhower would have nothing more to do with Truman during the transition period. They even sparred over riding together in the presidential limousine on Inauguration Day.

They scarcely met again over the next eight years—only at the funerals of Chief Justice Vinson and General Marshall. President Eisenhower seldom wrote Truman, never sought his advice, and did not invite him to the White House until 1958 (Truman declined, three times). Eisenhower refused to attend the opening of the Truman Library in 1957 and sent an official with a perfunctory message instead. When he visited Kansas City in 1959, he met with the governor of Missouri but not with Truman. For his part, Truman made many disparaging remarks about Eisenhower and started rewriting their personal history; he claimed, for example, that he had never offered him the 1948 Democratic nomination. It was an unedifying spectacle all around.

Yet Truman supported, indeed often volunteered his support of, Eisenhower's foreign policy. For it was very much like his own. The Atlantic alliance and the commitment to contain communism were the great achievements of the Truman administration; they were the great achievements of the Eisenhower administration as well. And they were causes that Harry Truman and Dwight Eisenhower believed in. If we take it for granted today that the United States waged the Cold War against communism for more than 40 years, with no end in sight and victory hard to imagine, we should pause to realize that this defense of freedom was by no means inevitable. Truman might have faltered in 1947 or 1950, Taft might have been elected in 1952, a Congress tired of foreign commitments and foreign aid might have withdrawn America from the world. Truman and Eisenhower made sure that these things did not happen on their watch, and their persistence got Americans in the habit of sup-

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porting the Atlantic alliance and the containment of communism so that they continued to do so, though sometimes weakly, even after Vietnam. These two sons of middle-class midwestern America made possible the creation of the world we live in.

So it is a happy duty for Neal to report that, once they had laid their presidential burdens down, they made up. In November 1961 Eisenhower, traveling through Kansas City, asked if he could come over and inspect the Truman Library. The two ex-presidents had a cordial visit. Other invitations and visits followed. They met at the funerals of Sam Rayburn and Eleanor Roosevelt and John Kennedy, where they rode together in Eisenhower's limousine to Arlington Cemetery and then had lunch at Blair House after the burial. Two old friends, reminiscing, sharing their common grief, knowing they were near the end of their lives.

It is sad that they could not have gotten on better between 1952 and 1961, but they were rivals. Truman had started off his presidency humble, aware of his unpreparedness for the job, ready to turn it over to the better prepared Eisenhower in 1948; but Eisenhower, for his own reasons, did not want it then. By 1952 Truman was more self-assured, more possessed of the usual presidential confidence that no one could do the job better; while Eisenhower was convinced he was the one figure who could preserve the foreign policy they both believed in. Truman, open and frank, could not forgive disloyalty; Eisenhower, colder and less candid, unable to believe that a professional politician could not appreciate his Machiavellian course of action, was still a soldier who could not abide attacks on his honor. In important years they cooperated in their common cause, to contain communism and sustain the Atlantic alliance; in their separate attempts to serve that cause in the 1952 presidential election, their collaboration turned to hatred. Neither lived to see their cause prevail. Even so, as Steve Neal puts it in his concluding sentence, "Harry and Ike were the partnership that saved the West." ♦

Clinton Misunderstood

Joe Klein's unrequited love affair.

BY NOEMIE EMERY

Perhaps the only thing worse than a really bad love affair is a love affair that isn't quite bad enough—that strings one along with hopes, promises much while delivering little, and ends in confusion and heartache.

That is the romance between Bill Clinton and the New Democrats, which is guttering out now in final exhaustion, having gone through numerous cycles of rapture, betrayal, rapprochement, and rage. In *The Natural: The Misunderstood Presidency of Bill Clinton*, Joe Klein, a New Democrat and veteran student of Clinton (under his own name and as "Anonymous," the author of the novel *Primary Colors*), looks back in something like anger, mixed with nostalgia and longing. Was this really love? Could it have been different?

The Natural
The Misunderstood Presidency of Bill Clinton
by Joe Klein
Doubleday, 230 pp., $22.95

The affair began in the late 1980s, when moderate Democrats, tired of losing, decided to update the liberal credo with centrist reform. They had a political organization, the Democratic Leadership Council. They had their own think tank, the Progressive Policy Institute. All they needed was a candidate—and into their ken swam the governor of Arkansas: canny, young, charming, and eloquent.

Klein melted: "Awe was inspired by Clinton's intelligence, . . . his encyclopedic knowledge of policy questions—his perseverance, and his ability to charm." He seemed too good to be true, and so he was. Even in those early days, Klein could sense the low-rent proclivities that warn of large problems. Clinton had huge "high-cholesterol" hungers for everything carnal: "Jogging for miles with his pale thighs jiggling, he still tended to a raw pink fleshiness. He was famously addicted to junk food." And to human contact. In *The Natural*, Klein describes one night in New Hampshire when Clinton goes from table to table in each Manchester eatery, pressing the flesh and making eye contact, ending up with Klein in a bowling alley long after midnight, where, in his hunger for physical nearness, he leans on the reporter for warmth.

But it was not the flesh that endeared Clinton to his new suitors; it was his mind. "Oh, could he talk policy!" Klein explains. And on and on he would go, into every detail of every new program: "The school choice program in East Harlem . . . competitive bidding for sanitation projects in Phoenix . . . the terrific for-profit welfare-to-work program in New York." This was wonk heaven, and when, at a 1989 meeting of the Democratic Leadership Council, Clinton uttered the magic three words—"opportunity, responsibility, community"—Joe Klein and the DLC swooned.

But the ink was not dry on the marriage license before Clinton began straying. He played around with the far left, with the unions, with the diversity mongers—with his own wife, for that matter, whom Klein sees as the serpent in paradise. (The Hillary Clinton figure in Klein's novel is a sympathetic character; the Hillary Clinton in his nonfiction is not.)

Not only did Bill stray, but he squandered the family's political capital on social issues and state-sponsored health

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care. Bill was warned, and warned again, but he refused to listen.

And at long last, in the 1994 midterm elections, the roof fell in, with a Republican victory in the House and the Senate. This catastrophe brought about reconciliation: Clinton promised to reform, and at the 1996 Democratic convention he gave his New Democrat supporters the present they had always wanted: welfare reform. But sin soon reasserted itself. An intern came bearing a pizza, and Clinton was soon snacking on both. He survived the scandal, but only by disgracing the whole New Democrat family and putting the party in hock to the paleoliberals, from whom he had been supposed to rescue the party. To pay his debt, he dropped the Democratic Leadership Council agenda, including a well-thought-out plan to save Medicare, and junked his last chance for historic achievement. He exited on a great bender of pardons that appalled even his most die-hard supporters—who are left wondering quite what to say about it all.

Trying to explain these mad passions in *The Natural*, Klein trots out some time-honored lines. Bill Clinton was misunderstood. The world was against him. He was an all-right provider. Some men, like Newt Gingrich, were worse. But in the process, Klein makes him seem too splendid, too brilliant, too popular. The truth is, Clinton was not a great politician. Great politicians do not lose both houses of Congress. Nor do they have to act primarily on the other party's agenda. Nor do they wind up impeached.

At the same time, Klein is too hard on the Republican Congress, which he describes as "excessively hateful," and on Newt Gingrich, whose reign he describes as "wholly disastrous." The Republican Congress was sometimes extreme, frequently tone deaf, now and then clueless, and at times its own worst enemy. But it also swept away years of sclerosis and smugness, and it took up a great many interesting theories, some of which sprang from the same reform impulse that had moved the New Democrats. Nor did Bill Clinton defeat it so much as co-opt it, sand down its rough edges, and battle it to a draw. He

AP Photo / Tannen Maury

AP Photo / Laurent Rebours

Clinton in 1991 and 2000.

won reelection in 1996 by doing a U-turn to run on his opponents' issues. In the end, it is the Republican sweep of the 1994 midterm elections that stands as the critical moment of the decade.

It isn't even clear that impeachment is a battle which Bill Clinton "won." The Republicans did not "suffer grievously" in the 1998 midterm elections. They lost five seats but held their majority. And by 2000, the tide had turned against Clinton to the point that he was a drag on the ticket. Mr. Charm had so ticked off Mr. and Mrs. Middle America that polls showed that voters were, by 40 to 17 percent, *less* likely to vote for Al Gore if Bill Clinton stumped with him.

Oddly enough, Klein seems aware of most of Clinton's failings. The picture he draws is of a willful, whining, childish, petulant man—self-absorbed nearly to the point of psychosis, given to putting his personal gain ahead of the national interest, and lacking in "decency or graciousness" in human relations and personal life. So it is all the more peculiar that Klein lets Clinton get away with claiming that Republicans hated him because they never expected to see another Democrat become president or that he was fighting to save the United States Constitution when he repeatedly lied under oath. (Clinton is said to have believed it was all right to lie to the Paula Jones lawyers, as they had no right to ask him such questions. But the time to have thought this was before he signed the bill that made such questions legal. Clinton, his wife, and their feminist backers never objected to invasions of privacy that hurt interests other than their own.)

Oddly enough, *The Natural* never uses words like "perjury," "contempt of court," "obstruction of justice," and "serial lying" to explain why Clinton was disliked—which leaves Klein exhausting himself in the effort to shift all the onus for Clinton's troubles away from Clinton himself. One explanation Klein offers is that Clinton—like Eisenhower, Cleveland, and Nixon—was a "third-way" president, one who adopted the themes of the opposite party and was therefore distrusted and labeled a "degenerate." (Eisenhower was unpopular?) Another explanation is still more peculiar: Clinton was a "scapegoat," a ritual sacrifice, "a compendium of all that his accusers found most embarrassing, troubling, and loathsome about themselves."

In his last defense of his old friend Bill Clinton, Klein argues that the president was a flawed but nonetheless great figure: "One imagines that other leaders . . . like Franklin Roosevelt and John F. Kennedy—were as selfish and needy and self-destructively strange as Bill Clinton proved himself." (Actually, one doesn't imagine this: If they had been self-destructive, we would have seen them destroying themselves.) Klein says of *Primary Colors*, his novel about Clinton, "I saw it as a defense of larger than life politicians—who inevitably have mythic weaknesses entangled in their obvious strengths."

But the strange thing about Clinton in retrospect is how small he seems: small in scope and accomplishments, small in visions and sins. Klein stresses Clinton's role in helping the working

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poor prosper, largely through budget negotiations with Congress. "It was in these negotiations—quietly, in dribs and drabs, with remarkable persistence that Clinton would get many of his most important programs enacted . . . the quiet seriousness of the effort was the precise opposite of the president's feckless image . . . persistence of the most high-minded sort."

Perhaps. But on the truly big things, he was small-minded, unwilling to put them above his own interest or unable to see what they meant. As Klein admits, he not only did not try to save Medicare and Social Security, but he sabotaged efforts to do so, and by his demagoguery made such efforts more difficult in the future. His misreading of the terrorist menace grows daily more evident. His old friend Tony Blair has accused him of "dithering," adding that "delays in taking action . . . despite the clear warnings of the United States Embassy bombings . . . allowed al Qaeda to prosper and plot the September 11 attacks." Clinton did not, as Klein thinks, "see the world clearly," which is the one thing big presidents do.

Joe Klein was once a first-rate political analyst. But Klein today resembles nothing so much as the woman in an abusive love affair—in which repeated cycles of mistreatment and promise of reform have eroded the judgment and will. Therapists deal with this sort of thing often. As president, Clinton mortified his supporters, dropped the ball on key issues, put a Republican into the White House by giving George W. Bush his opening to make a strong case for change in a time of prosperity, and left the New Democrats no stronger than they were when he came in. Yet Klein cannot stop himself from making excuses, trying to turn Bill Clinton into a figure of consequence, a great wounded lion, and a victim of circumstance.

Among the circumstances Klein thinks hurt the country and Clinton is the fact that he faced no real crises (except the ones he created) that might have revealed the virtues Klein still thinks are lurking inside him. On the strength of the record, it seems unlikely. Most people would say he's been tested enough. ♦

Not So Sweet

Skip the new Broadway version of Sweet Smell of Success. *Watch the movie instead.* BY JOHN PODHORETZ

Making the 1957 film *Sweet Smell of Success* was an unhappy experience with parlous consequences for many of those involved. Its director, Alexander Mackendrick, was traumatized by his confrontations with its star and co-producer, the gargantuan Burt Lancaster—who threatened Mackendrick bodily during the filming—and he all but left the business. So did the movie's ingenue, Susan Harrison, who disappeared so completely that hard-working journalists searching for her decades later could find no trace. (It finally turned out that she was the ill mother of Darva Conger, the nurse who demanded an immediate divorce after she was chosen for matrimony on the notorious reality-TV special *Who Wants to Marry a Multi-Millionaire?*)

The curse of *Sweet Smell of Success* did not end there. Lancaster's production company had revolutionized Hollywood by making high-quality, low-budget movies outside the studio system, and it broke the big-studio hammerlock on the Academy Awards in 1955 when its production of *Marty* won the award for best picture. But the fights between the movie star and his behind-the-scenes partners during the making of *Sweet Smell of Success* effectively ended Hecht-Hill-Lancaster just as the company was making its greatest contribution to the cinema.

Ernest Lehman was the author of the short story "Tell Me About It Tomorrow," the source material for his own screenplay for *Sweet Smell of Success*. At first, Lancaster's company agreed that Lehman would direct the film, but then they kicked him off the picture, replacing him even as screenwriter with the has-been playwright, Clifford Odets. While the movie was being photographed on the streets of Manhattan, Odets drank himself near to oblivion in a suite at the Essex House Hotel overlooking Central Park as he tried to figure out an ending. Odets's once-brilliant career concluded shortly thereafter with the script for an Elvis Presley picture—while Lehman went on to become the most commercially successful screenwriter in Hollywood history.

The ugliness off-screen was based in an anxiety about the movie's commercial and critical prospects, and that anxiety was justified. *Sweet Smell of Success* was a box-office disaster, was widely panned by critics, and did not garner a single Academy Award nomination—not even for the landmark photographic work of veteran cinematographer James Wong Howe, a perennial Oscar favorite. *Sweet Smell of Success* has achieved its own kind of immortality as a result: It's probably the best American movie to be entirely overlooked by the Academy Awards. And it belongs on the all-too-short honor roll of American films far too daring and unconventional for the audiences and opinion leaders of their time.

If you had told people in 1957 that one day Broadway producers would spend more than $10 million to mount a stage-musical version of *Sweet Smell of Success*, they would have judged you insane. Cinematic flops do not make successful stage productions. And anyway, what would be musical about the story of a desperate young press agent who learns he will do anything to remain in the good graces of a psychotic

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Everett Collection

Tony Curtis and Burt Lancaster in the 1957 movie version of Sweet Smell of Success.

gossip columnist who rules the roost in a New York City corrupted by sin, sleaze, and rumor? "I love this dirty town," says columnist J.J. Hunsecker, which just demonstrates how unmitigatedly evil he is. Nobody sane could love the New York in *Sweet Smell of Success*, a city trapped in perpetual night in which no man is faithful to his wife, no one speaks a trustworthy word, and fealty to the will of J.J. Hunsecker is enforced by a vicious police lieutenant who plants evidence on innocent men and beats up whomever he chooses.

The lavish new musical called *Sweet Smell of Success*, which opened on Broadway at the Martin Beck Theater this month, reveals just how radical and uncompromising a vision of New York City and humankind the movie really is. Despite the passage of forty-five years in which movies and theater have turned an all-too-open eye to unspeakable human conduct, the makers of the musical couldn't see a way to adapt it in 2002 for the stage without filing down its diamond-hard edges. They have turned the terrifying Hunsecker, who rules by intimidation alone in the movie, into a cold-blooded charmer. Worse yet, they have turned the young press agent Sidney Falco (described by one character in the movie as having "the morals of a guinea pig and the scruples of a gangster") into a wide-eyed innocent who is taken under Hunsecker's wing and shown all the glories of New York. The musical's Hunsecker is a seducer, and Falco is his likable dupe.

In the movie, Sidney is as much a villain as Hunsecker. His good looks give him the ability to smooth-talk and charm women into doing almost anything he asks. And once he has them, he's merciless with them. "What'll you do if I feel nervous?" he asks his loyal and lovesick secretary. "Open your needy, sympathetic arms? . . . I'm no hero. I'm nice to people where it pays to be nice. I do it enough on the outside, so don't expect me to do it in my own office." Later, Sidney invites an occasional girlfriend to his apartment to loan her out to another gossip columnist from whom he needs a favor. "Honey, he's going to help you," Sidney protests when she broken-heartedly complains. "Now, how many drinks does it take to put you in that tropical-island mood?"

Watching Tony Curtis assay this ugly part is like watching a caged animal suddenly sprung loose. Before *Sweet Smell of Success*, Curtis was a Hollywood hunk who spent most of his time in period pictures trying to hide his thick Bronx accent. Perhaps because he was free to speak in his own voice at last, Curtis took to the part with uncompromising ferocity and hunger. Just as Sidney Falco is willing to say and do anything to succeed in his aims, Curtis was willing to subsume his own vanity to the demands of a part that required him to be an unparalleled weasel. He understood that he had been given an indelible part to play, and he rose to the occasion by sinking very low. Curtis's Sidney Falco is one of the great screen performances, all the more astonishing because he never came anywhere close to it before and has shown only glimmers of his ability in the movies he made afterward.

"Mr. Falco, let it be said at once, is a man of forty faces, not one," Hunsecker tells a visiting U.S. senator. "None too pretty and all deceptive. You see that grin? That's the charming street-urchin face. It's part of his helpless act. He throws himself upon your mercy. He's got a half-dozen faces for the ladies. But the one I like, the really cute one, is the quick, dependable chap—nothing he won't do for you in a pinch. So he says."

But while Sidney is terrified of J.J.'s power over his ability to earn a livelihood, he's actually willing to stand up to the columnist. "Match me, Sidney," Hunsecker says, brandishing a cigarette and demanding the behavior of a courtier. In the movie, Sidney replies, "Not right now, J.J." He will not kowtow. But in the Broadway show, Sidney jumps to it, and is upbraided for not lighting the cigarette more quickly.

The brilliance of the movie lies in its unique combination of hyperrealism and stylization. It was filmed on location in the streets and clubs of New York. Everywhere Sidney and J.J. go is exactly where the real-life versions of them would have been—in the swank precincts of the "21" Club, the honky-tonk jazz bars that lined West 52nd street, and the low-rent buildings of Times Square where Sidney has his office. Hunsecker even lives in an apartment atop the Brill Building on Broadway. The scene is seedy and glamorous at the same time, just as New York was.

But while the photography has an almost documentary feel to it, the dialogue is something else again. *Sweet Smell of Success* has the American cinema's most distinctive screenplay. It takes place over three breakneck nights, and doesn't bother with introductions, niceties, or exposition. The story begins with Sidney on J.J.'s bad side. The

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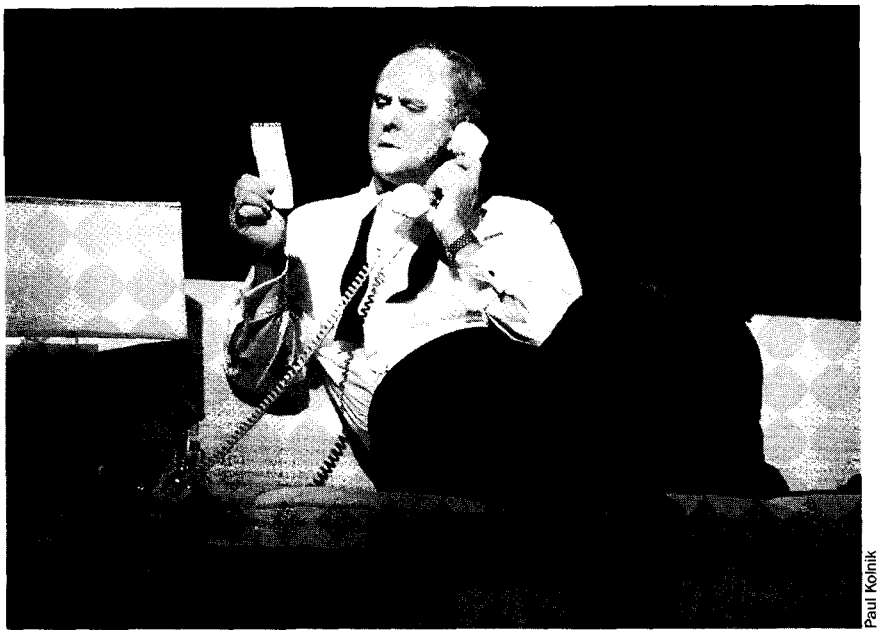
columnist has already enlisted him in a plot to break up the romance between J.J.'s sister Susie and a young jazz musician, but Sidney cannot do so before Susie accepts the jazz musician's secret proposal. So then we see the lengths to which Sidney and J.J. are willing to go to succeed in their aim.

The collaboration between Lehman and Odets gave birth to a hardboiled New York argot that owes debts to Damon Runyon's Broadway stories, the rat-a-tat tabloid style of Runyon's friend Walter Winchell (the model for J.J.), and the Yiddish-flavored repartee of Odets's own early plays. These influences coalesce to make *Sweet Smell of Success* a movie that sounds like no other. You can hear the glee in Burt Lancaster's voice as he spits out classic line after classic line. There are more memorable pieces of dialogue here than in any American movie besides *The Godfather*.

"Sidney, conjugate me a verb—for instance, to promise," J.J. says. Sidney's failure to live up to his promise to break up J.J.'s sister's love affair has caused J.J. to blacklist Sidney's clients from his all-powerful column, read by sixty million nationwide. Hunsecker wants to know what the jazz musician has that his sister likes so much. J.J. had deputized Sidney because the Hunsecker way is to maintain plausible deniability: "My right hand hasn't seen my left hand in thirty years," he says.

But Sidney, though defeated once, has a new plan. "The cat's in the bag, and the bag's in the river," he explains. J.J. is impressed and repelled: "I'd hate to take a bite out of you," he tells Sidney. "You're a cookie filled with arsenic."

The dialogue would seem ludicrous were the movie not anchored in the very real world of New York in the 1950s—which is exactly what the new Broadway musical gets wrong. The sets are hyper-stylized, while the actors labor mightily to make the dialogue and the songs sound realistic. John Lithgow, playing J.J., opens the second act by repeating one of the movie J.J.'s first lines to Sidney—"You're dead, son, get yourself buried." In the movie, Lancaster says it to Curtis in an off-hand, emotionless fashion that masks J.J.'s glee at his own cleverness. On stage, Lithgow speaks the words in an anguished whine. In John Guare's libretto, J.J. is more peevish than terrifying—and far less amusing as well.



Paul Kolnik

John Lithgow in the 2002 Broadway musical version.

In the film, Sidney's quick-talking, quick-thinking immorality seduces us into becoming Sidney's confederates. "Someday I'd like to look into your clever little mind and see what you're really thinking," Susie Hunsecker tells Sidney when he's all sweetness and light with her. Sidney's secretary wonders why he finds it necessary to stoop so low—and he explains he wants to get to a place "where no one snaps his fingers and says, 'Hey, shrimp, rack the balls.' Or, 'Hey, mouse, mouse, go out and buy me a pack of butts.' I don't want tips from the kitty. I'm in the big game with the big players. . . . In brief, from now on, the best of everything is good enough for me."

In the musical, Sidney's Darwinian credo becomes a dreadful pseudo-aria by composer Marvin Hamlisch and lyricist Craig Carnelia in which Sidney bellows out his joy: "I'm finally at the fountain," he sings. "I'm ready to soar." Only those theatergoers who admire the poetry and sentiment expressed in Hallmark greeting cards will be seduced into joining Sidney's cause.

Most disturbing is the musical's revision of the character of Hunsecker's sister. The movie's Susan seems like she's on the verge of breaking into a million pieces at a moment's notice. She fears her brother the way she fears her own shadow, and her inability to tell J.J. that she knows the jazz musician and wants to marry him is what gives her brother the weapon he needs against her. The stage Susan is strong and passionate, and her brother is so neurotically devoted to her that she clearly has the upper hand with him. This throws the entire plot into confusion and chaos, because her refusal to tell J.J. about her new love makes no sense. This storytelling calamity was made necessary by present-day Broadway correctness, which insists female characters be proud and self-confident spokespersons for their gender—even when that makes dramatic hash out of everything you're seeing.

The chorus in the musical (which we're supposed to think is the secret voice of Broadway itself) is forever standing behind Falco urging him on as he suffers over every corrupt move he makes. "Do it, Sidney! Do it, Sidney! Do it, Sidney!" Tony Curtis's Sidney Falco needed no encouragement. *Sweet Smell of Success* is not the story of Sidney Falco's corruption. Sidney is already beyond salvation. The moral question posed in *Sweet Smell of Success* is whether Sidney and J.J. will be able to take something entirely good—the love between Susan and her musician—and turn it rotten. In the movie, they almost succeed. In the play, there's never any doubt they will fail. That's why the movie is great and the musical lousy. ♦

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The Book of John and Russ

Chapter 1

1 And verily President George summoned the House of McCain and the House of Feingold to his great house, and the Rainesians, the McGrorys, the Rathers, Brokaws, and Jenningses were there also. And when President George put his mark upon the bill, the heavens opened up and angels and cherubs came down with trumpets blaring. And Christopher Shays, a Republican but a reasonable one, ascended in a cloud of glory surrounded by angels and editorial writers and Al Hunt also.

2 And soft money was banished from the Earth. And the enemies of righteousness were laid low, the National Restaurant Association, the National Association of Home Builders, the Pharmaceutical Research and Manufacturers of America, for they were unclean. And Senator Feingold moved through the lobbies of the Capitol and poured out the donors of money and upset their tables, shouting, "Get Thee Behind Me, Patton Boggs! Banished are you, at least for the last 60 days before an election!"

3 And all the soft money donors were loaded with the sins of the nation—the sin of pride, of avarice, of gluttony at the Palm, and of Gucci abuse—and they were banished from the kingdom and set to wander in the wilderness—all except the Unions, for they giveth to Democratic Candidates and are thus righteous and free of sin.

4 And in the heavens all the incumbents did rejoice, for the day of paradise had arrived. Clean was the mark of the Capitol, and empty were the campaign coffers of the challengers. And a voice thundered down, "Removeth Your Shoes, for Fred Wertheimer is amongst you," and Fred did walketh amongst the multitude of reporters who didst fawn upon him. And Peter Angelos arrived and declared, "Let him who is without sin maketh the first hard money donation." And he did himself write a $2,000 check, and an anonymous $10 million check also to the NAACP Secret Attack Fund to run ads against Mitch McConnell.

5 And Feingold turned to McCain and to Dodd also, and declared, "Gone is the Fruit of the Sin of Self-Interest, and Risen are We to Purity, at least in our own minds, and so let us deliberate liberally upon the legislation."

6 And from that day forth no politician did think of himself or herself, or of his or her donors, or any special interest of any kind. For the Age of McCain-Feingold had arrived, and wise was the way of the Congress, pristine was the soul of the Senate Finance Committee, selfless was the way of Judiciary, and saintly was the path of Ways and Means. And all sang Hallelujah! Hallelujah! McCain-Feingold has passed! Heaven is upon the Earth!

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Wildlife, Too, under

Terry L. Anderson is the Martin and Illie Anderson Senior Fellow at the Hoover Institution and the executive director of the Political Economy Research Center.

Recently elected Zimbabwean president Robert Mugabe has clearly indicated that he has no intention of respecting property rights or the rule of law. His "terror teens" have brutally killed innocent people, and his "land reform" plan demands that more than 20 million of the 23.5 million acres under private ownership be surrendered without compensation. He has sent his thugs into the hinterlands threatening farmers and pressing squatters to take over the land. Insecure property rights have left Zimbabwe's economy in shambles.

Mugabe's assault on private property has also taken a toll on wildlife, for without landowners there is no one to protect them from poachers. **Before Mugabe's attack on private property, Zimbabwe had demonstrated how wildlife could be privately protected.** The CAMPFIRE program, for example, championed by the World Wide Fund for Nature, allowed local communities to manage wildlife. Hence wildlife became an asset as villagers in communal areas profited from hunting and photo safaris. Elephant populations mushroomed and poaching plummeted.

Stimulated by growing demands for hunting and tourism, private landowners also got into the wildlife business by combining small ranches into single units called *conservancies,* encompassing thousands of acres. The Save Valley Conservancy, for example, put together over 850,000 acres for wildlife management and reintroduced rare species such as black rhinoceros and roan antelope. Throughout Zimbabwe, 64 percent of kudu, 63 percent of giraffes, 56 percent of cheetahs, and 53 percent of sable antelope and impalas were on private ranch properties.

Unfortunately wildlife is under siege by Mugabe. Photos of mutilated animals in the February 2002 issue of *African Geographic* paint a sickening picture, and the statistics tell the rest of the story. To clear the land, squatters have burned more than 60 percent of the woodland on the country's three largest wildlife conservancies. The Bubiana Conservancy reports that 20,000 trees have been felled, 22 buildings razed, staff assaulted, and perhaps 50 percent of the wildlife killed. The Save Valley Conservancy reported more than 200 cases of poaching since August 2001 and the discovery of 5,677 snares. On the Chirendzi River Conservancy, where US$300,000 had been invested in improving wildlife habitat, 40 rare sable antelope and 200 large eland have been killed.

Poachers have also devastated smaller game ranches. Twenty-seven ranches in one region reported 2,761 animals killed and 26,292 snares collected. The value of animals lost is estimated at US$1.5 million. This value does not reflect the jobs—for whites and blacks alike—that will be lost as a result of the decline in wildlife populations.

The poor citizens of Zimbabwe cannot be blamed for trying to get their share of the land grab. **Mugabe has duped them into thinking that land redistribution without compensation or due process is the key to economic prosperity.** In fact, sustainable development will come only from stable property rights. Zimbabwe had previously shown the world how to balance economic development with conservation through private and communal ownership. Unless the sanctity of private property can be reestablished in Zimbabwe, its people and its wildlife will continue to suffer.

— Terry L. Anderson

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